



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

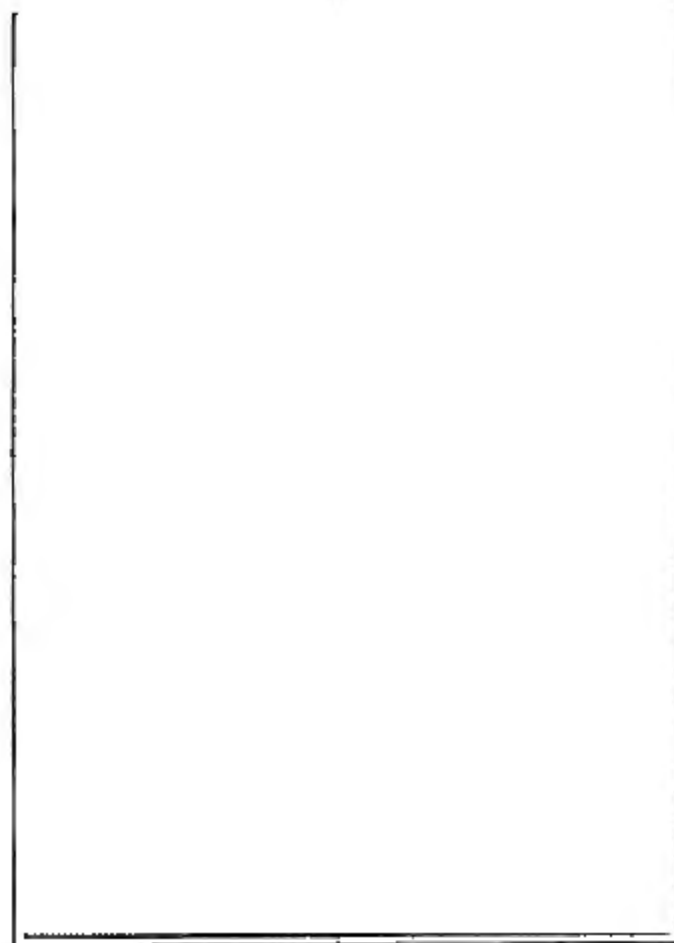
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



15-009



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN.

1863.

Printed by virtue of an Act of the Legislature, under the direction
and supervision of

EDWARD W. BARBER,
CLERK OF THE HOUSE OF REPRESENTATIVES.

By Authority.

LANSING:
JOHN A. KERR & CO., PRINTERS TO THE STATE.
—•••••—
1863.

1891

1892

1893

1894

1895

1896

1897

1898

1899

HOUSE JOURNAL.

Lansing, Wednesday, January 7, 1868.

Pursuant to the requirements of the Constitution, the members elect to the House of Representatives of the Legislature of the State of Michigan, for the year 1868, assembled in the Representative Hall of the Capitol, at Lansing, on Wednesday, the 7th day of January, at ten o'clock A. M., and were called to order by Edward W Barber, Clerk of the last House.

Upon examining the credentials of members, it was ascertained that the several counties were fully represented except the counties of Bay, Ogemaw, &c, the second district of Clinton county, the second district of Ingham county, the third district of Lenawee county, and the counties of Marquette, Chippewa, &c.

On motion of Mr. Cutcheon,

Hon. William T. Howell, of Newaygo, was chosen temporary Speaker.

By invitation of the Speaker *pro tem.*, Hon. George Martin, Chief Justice of the Supreme Court, appeared to administer the oath of office to the several members elect to the House.

The roll of the members was then called by counties and districts, when the following members answered to their names, and having subscribed and taken the oath of office, were admitted to seats as Representatives in the Legislature of the State of Michigan :

Allegan—1st district, Philetus O. Littlejohn; 2d district, Daniel D. McMartin.

Barry—1st district, James A. Sweezey; 2d district, George Thomas.

Berrien—1st district, Henry C. Morton; 2d district, John C. Miller; 3d district, Nathan Fitch.

Branch—1st district, Jesse Bowen; 2d district, Aura Smith; 3d district, Charles W. Weatherby.

Calhoun—1st district, William Cook; 2d district, Abner Pratt; 3d district, Chester Buckley; 4th district, Isaac C. Abbott.

Cass—1st district, Henry B. Denman; 2d district, Levi Aldrich.

Clinton—1st district, William F. Jenison.

Eaton—1st district, George Y. Cowan; 2d district, John Dow.

Genesee—1st district, Thaddeus G. Smith; 2d district, Francis H. Rankin; 3d district, George W. Thayer.

Grand Traverse, &c.—John S. Dixon.

Gratiot, Midland, &c.—James Gargett.

Hillsdale—1st district, Charles Mosher; 2d district, James Fowle; 3d district, George A. Smith.

Houghton and Keweenaw—John Q. McKernan.

Huron—R. Winsor.

Ingham—1st district, Orlando M. Barnes.

Ionia—1st district, John B. Welch; 2d district, Asa Spencer.

Jackson—1st district, Elijah Bentley; 2d district, Henry A. Hayden; 3d district, Richard J. Crego.

Kalamazoo—1st district, Gilbert E. Read; 2d district, James B. Cobb; 3d district, Orville H. Fellows.

Kent—1st district, George H. White; 2d district, John Porter; 3d district, Augustus D. Griswold; 4th district, James Dockeray.

Lapeer—1st district, John B. Wilson; 2d district, William Hemingway.

Lenawee—1st district, Noah K. Green; 2d district, Henry P. Combs; 4th district, Hiram Raymond; 5th district, George L. Crane.

Livingston—1st district, Edwin B. Winans; 2d district, Henry H. Harmon.

Mackinac and Manilou, &c.—Alexander Toll.

Macomb—1st district, James B. Eldridge; 2d district, Charles C. Grosebeck; 3d district, Charles F. Mallary.

Monroe—1st district, Edward G. Morton; 2d district, John G. Hood; 3d district, Andrew J. Keeney.

Montcalm, Isabella, &c.—Edwin Burt.

Muskegon, Oceana, &c.—Chauncey Davis.

Newaygo, Mecosta, &c.—William T. Howell.

Oakland—1st district, John N. Donaldson; 2d district, Francis W. Fifield; 3d district, Abasuerus W. Buell; 4th district, Sebring Voorhies; 5th district, William H. Haze.

Ontonagon—Abner Sherman.

Ottawa—1st district, Manly D. Howard; 2d district, George Luther.

Saginaw—1st district, Augustin S. Gaylord; 2d district, Solomon B. Bliss.

Sanilac—James Erskine.

Shiawassee—1st district, S. Titus Parsons; 2d district, Paul C. Sprague.

St. Clair—1st district, Abram Smith; 2d district, John Miller; 3d district, John Grinnell.

St. Joseph—1st district, Edwin Stewart; 2d district, William Wheeler; 3d district, Charles Betts.

Tuscola—David G. Slafter.

Van Buren—1st district, Jonathan J. Woodman; 2d district, B. M. Williams.

Washtenaw—1st district, Sullivan M. Cutcheon; 2d district, Hiram J. Beakes; 3d district, Lovatus C. Allen; 4th district, Elisha Congden.

Wayne—1st district, Thomas W. Lockwood, Alexander Chapton, Lorenzo M. Mason, Stanley G. Wight, William Warner; 2d district, Henry W. Deare; 3d district, Alexander Tinham; 4th district, Bradshaw Hodgkinson; 5th district, Robert E. Clark.

On-motion of Mr. Deare,

The Speaker *pro tem.* was authorized to appoint a Sergeant-at-Arms *pro tem.*

The Speaker *pro tem.* appointed Luther Tucker, of Hillsdale, as Sergeant-at-Arms *pro tem.*

On motion of Mr. Erskine,

The House proceeded to the election of a Speaker, which resulted as follows :

FOR SULLIVAN M. CUTCHEON.

Mr. Abbott,	Mr. Erskine,	Mr. Raymond,
Aldrich,	Fellows,	Read,
Allen,	Fowle,	Slafter,
Betts,	Gargett,	Spencer,
Bliss,	Green,	Sprague,
Bowen,	Grinnell,	G. A. Smith,
Buckley,	Griswold,	T. G. Smith,
Buel,	Haze,	Aura Smith,
Burt,	Hemingway,	Stewart,
Cobb,	Hood,	Sweezy,
Combs,	Howell,	Thayer,
Cook,	Luther,	Thomas,
Cowan,	Mallory,	Voorhies,
Crane,	McMartin,	Weatherby,
Crego,	H. C. Morton,	Wheeler,
Davis,	Mosher,	Williams,
Denman,	Parsons,	Wilson,
Dixon,	Porter,	Winsor,
Dockeray,	Rankin,	Woodman,
Dow,		

58

FOR THOMAS W. LOCKWOOD.

Mr. Barnes,	Mr. Grosebeck,	Mr. John Miller,
Beakes,	Harmon,	E. G. Morton,
Bentley,	H. A. Hayden,	Pratt,
Chapoton,	Hodgkinson,	Sherman,
Clark,	Howard,	Abram Smith,
Congdon,	Jenison,	Tinham,
Deare,	Keeney,	Toll,
Donaldson,	Littlejohn,	Warner,
Eldridge,	Mason,	White,
Fifield,	McKernan,	Winans,
Fitch,	J. C. Miller,	Wight,
Gaylord,		

84

FOR HIRAM J. BEAKES.

Mr. Lockwood,

1

FOR WILLIAM T. HOWELL.

Mr. Cutcheon,

1

The Speaker *pro tem.* announced that Hon. Sullivan M. Cutcheon, of Washtenaw, having received a majority of all the votes cast, was duly elected to the office of Speaker of the House.

On motion of Mr. Deare, it was

Resolved, That the rules of the last House be adopted as the rules of this House until otherwise ordered.

The Sergeant-at-Arms *pro tem.* announced a committee from the Senate.

The committee thereupon informed the House that the Senate was organized and ready to proceed to business.

On motion of Mr. Woodman,

The House proceeded to the election of a Chief Clerk, with the following result:

FOR EDWARD W. BARBER.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Buckley
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Cutcheon,
Davis,
Denman,
Dixon,
Dockeray,

Mr. Dow,
Erskine,
Fellows,
Fowle,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howard,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,

Mr. Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Voorhies,
Warner,
Weatherby,
Wheeler,
Williams,
Winsor,
Woodman, 60

FOR JAMES A. BASCOM.

Mr. Barnes,
Beakes,

Mr. Gaylord,
Grosebeck,

Mr. J. C. Miller,
John Miller,

Bentley,
Chapoton,
Clark,
Congdon,
Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,

Harmon,
H. A. Hayden,
Hodgkinson,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,

E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinharn,
Toll,
White,
Winans,
Wight,

33

The Speaker *pro tem.* announced that Edward W. Barber, of Eaton county, having received a majority of all the votes cast, was duly elected to the office of Chief Clerk.

On motion of Mr. Read,

The House proceeded to the election of an Engrossing and Enrolling Clerk, with the following result :

FOR WILLIAM A. HALL.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Cutocheon,
Davis,
Denman,
Dixon,
Dockeray,

Mr. Dow,
Erskine,
Fellows,
Fowle,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,

Mr. Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezy,
Thayer,
Thomas,
Voorhies,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,

59

FOR CHARLES W. BUTLER.

Mr. Barnes,
Beakes,
Bentley,
Chapoton,
Clark,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,

Mr. John Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,

Congdon,
Deare,
Donaldson,
Eldrich,
Fitfield,
Fitch,
Gaylord,

Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,
J. C. Miller,

Tinham,
Toll,
Warner,
White,
Winans,
Wight,

35

The Speaker *pro tem.* announced that William A. Hall, of Livingston county, having received a majority of all the votes cast, was duly elected to the office of Engrossing and Enrolling Clerk.

On motion of Mr. Stewart,

The House then proceeded to the election of Sergeant-at-Arms, with the following result:

FOR ALBERT F. MOREHOUSE.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Cane,
Crego,
Cutcheon,
Davis,
Denman,
Dixon,
Dockeray,

Mr. Dow,
Erskine,
Fellows,
Fowle,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Msher,
Parsons,
Porter,
Rankin,

Mr. Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman, .60

FOR SILAS BEMENT.

Mr. Barnes,
Beakes,
Bentley,
Chapoton,
Clark,
Congdon,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,

Mr. John Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinham,

Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,
Gaylord,

Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,
J. C. Miller,

Toll, ~~Warner~~
Warner,
White,
Winans,
Wight,

35

The Speaker *pro tem.* announced that Mr. Albert F. Morehouse, of Ionia county, having received a majority of all the votes cast, was duly elected to the office of Sergeant-at-Arms of the House.

On motion of Mr. Lockwood,

A committee of three was appointed by the Speaker *pro tem.* to conduct the Speaker elect to the chair.

The Speaker *pro tem.* appointed Messrs. Lockwood, Fowle and Woodman as such committee.

The committee performed the duty assigned them, and the Speaker elect, on assuming the chair, addressed the House as follows:

Gentlemen of the House:—On entering upon the discharge of the responsible duties of the position which your choice has assigned me, I return my hearty thanks for the confidence you have manifested in me, and the honor you have conferred.

It shall be my endeavor to discharge the duties pertaining to this office fairly, and according to the best of my ability, and in that endeavor I ask your kindest forbearance and aid.

With your assistance, there will be only harmony; without it, my own efforts will be wholly unavailing.

Again I return my thanks and invoke your forbearance.

Mr. Deare offered the following:

Resolved, That the Clerk of this House be and is hereby instructed to furnish each member with a copy of the Manual of the last session of the Legislature;

Which was adopted.

On motion of Mr. Read,

The Speaker administered the oath of office to the Chief Clerk, Engrossing and Enrolling Clerk, and the Sergeant-at-

Arms elect to the House, and the several officers named, entered upon the discharge of their duties.

On motion of Mr. Deare,

A committee of three was appointed to wait upon the Senate and inform that body that the House was organized and ready to proceed to business.

The Speaker appointed Messrs. Deare, Howell and Betts as such committee.

MESSAGE FROM THE SENATE.

The Speaker announced the following communication from the Senate:

SENATE CHAMBER,
Lansing, January 7, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, (the House concurring,) That the joint rules of the Senate and House of Representatives, and the rules of the Senate and House of Representatives in joint convention, of the last Legislature be adopted, until otherwise ordered,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Lockwood,

The House concurred in the adoption of the resolution.

Mr. Read offered the following:

Resolved, That the Speaker be and is hereby empowered to appoint six messengers and two firemen for the House;

Which was adopted.

The committee appointed to wait upon the Senate and inform that body that the House had completed its organization, and

was ready to proceed to business, reported that they had performed the duty assigned them.

Mr. Woodman offered the following:

Resolved, That the Clerk of this House, the Enrolling and Engrossing Clerk, and the Sergeant-at-Arms, be each of them authorized and empowered to appoint an assistant during this session;

Mr. Mason moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Mason then moved to amend the resolution so as to authorize the Speaker to appoint such assistants;

Which motion did not prevail.

Mr. Read moved to amend the resolution in such a manner that the Engrossing and Enrolling Clerk should appoint an assistant when necessary;

Which amendment was accepted.

The question recurring upon the adoption of the resolution, as amended, the resolution was not adopted.

Mr. Howell offered the following:

Resolved, That the House proceed to elect an Assistant Clerk, also, an Assistant Enrolling and Engrossing Clerk, and Assistant Sergeant-at-Arms, to-morrow morning at ten o'clock;

Which was adopted.

On motion of Mr. Read,

The House adjourned till this afternoon at two o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

On motion of Mr. Howell,

The regular order of business was suspended for the day.

Mr. Hemingway offered the following:

Resolved, (the Senate concurring) That a committee of three from the House and two from the Senate, be appointed to wait

upon the Governor and inform him that the two Houses are now organized and ready to receive any communication that he may desire to make.

Which was adopted.

The Speaker appointed Messrs. Hemingway, Beakes and Welch as such committee, on the part of the House.

Mr. Winans offered the following:

Resolved, That when this House adjourn, it be until to-morrow morning at 10 o'clock;

Which was adopted.

Mr. Haze offered the following:

Whereas, This House having learned that the late Governor of this State, the Hon. Moses Wisner, departed this life at Lexington, Kentucky, on the 4th instant, while engaged in the military service of his country, it is

Resolved, That in respect to his memory, and having regard for his eminent character, this House do now adjourn.

Resolved, That the Clerk of the House be directed to transmit a copy of these resolutions to the family of the deceased;

Which were unanimously adopted.

The Speaker then declared the House adjourned until to-morrow morning at 10 o'clock.

Lansing, Thursday, January 8, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

SPECIAL ORDER.

The Speaker announced the special order of the day, being the election of Assistant Chief Clerk, Assistant Engrossing and Enrolling Clerk, and Assistant Sergeant-at-Arms.

The House proceeded to the election of an Assistant Chief Clerk, with the following result:

FOR NELSON B. JONES.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,

Mr. Fellows,
Fowle,
Gargett,
Green,
Griswold,
Haze,
Hemingway,
Hood,
Howard,
Howell,
Lockwood,
Luther,
Mallory,
Mason,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

64

FOR CHARLES W. BUTLER.

Mr. Barnes,
Beakes,
Chapoton,
Clark,
Congdon,
Deare,
Donaldson,
Eldridge,
Fifield,

Mr. Fitch,
Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Jenison,
Keeney,
Littlejohn,

Mr. McKernan,
J. C. Miller,
E. G. Morton,
Abram Smith,
Tinham,
Toll,
Winans,
Wight,

26

The Speaker announced that Nelson B. Jones, of Ingham county, having received a majority of all the votes cast, was duly elected to the office of Assistant Chief Clerk.

The House proceeded to the election of Assistant Engrossing and Enrolling Clerk, with the following result:

FOR WALTER A. NIMOCKS.

Mr. Abbott,
Aldrich,
Allen,

Mr. Erskine,
Fellows,
Fowle,

Mr. Read,
Slafter,
Spencer,

Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,

Gargett,
Gaylord,
Green,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
John Miller,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Raymond,

Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker.

61

FOR SAMUEL S. CORYELL.

Mr. Barnes,
Beakes,
Chapoton,
Clark,
Congdon,
Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,
Grinnell,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,

Mr. McKernan,
J. C. Miller,
E. G. Morton,
Sherman,
Abram Smith,
Tinharn,
Toll,
Warner,
Winans,
Wight,

31

The Speaker announced that Walter A. Nimocks, of Lenawee county, having received a majority of all the votes cast, was duly elected to the office of Assistant Engrossing and Enrolling Clerk.

The House then proceeded to the election of Assistant Sergeant-at-Arms, with the following result:

FOR LUTHER L. TUCKER.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,

Mr. Fellows,
Fifield,
Fowle,
Gargett,
Gaylord,

Mr. Raymond,
Read,
Slafter,
Spencer,
Sprague,

Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,

Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Lockwood,
Luther,
Mallory,
Mason,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,

G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

66

FOR EDWIN R. MERRIFIELD.

Mr. Barnes,
Beakes,
Chapoton,
Congdon,
Donaldson,
Eldridge,
Fitch,
Grosebeck,
Harmon,

Mr. H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
McKernan,
J. C. Miller,

Mr. John Miller,
E. G. Morton,
Sherman,
Abram Smith,
Tinharn,
Toll,
Winans,
Wight,

25

The Speaker announced that Luther L. Tucker, of Hillsdale county, having received a majority of all the votes cast, was duly elected to the office of Assistant Sergeant-at-Arms.

MESSAGE FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, January 8, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to return to the House the following concurrent resolution:

Resolved, (the Senate concurring,) That a committee of three from the House and two from the Senate, be appointed to wait upon the Governor and inform him that the two Houses are

now organized and ready to receive any communication that he may desire to make;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and to inform the House that Senators Grosvenor and Northrup have been appointed said committee on the part of the Senate.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The message was laid on the table.

The Sergeant-at-Arms announced a committee from the Senate.

The committee reported that they were appointed by the Senate to act with the committee appointed on the part of the House, to wait upon the Governor and inform him that the two Houses are now organized, and ready to receive any communication that he may desire to make.

On motion of Mr. Howell,

The papers pertaining to the contested election case of Chandler Freeman, were taken from the table.

The several papers were read, when,

Mr. Pratt moved that they be referred to a special committee of five, to report the facts in the case to the House;

Which motion did not prevail.

Mr. Howell moved that Mr. Chandler Freeman be admitted to a seat as a member of the House.

Mr. Lockwood moved to lay the motion on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays as follows:

YEAS.

Mr. Barnes,
Beakes,
Bentley,
Chapoton,
Clark,

Mr. Haze,
Hodgkinson,
Howard,
Jenison,
Keeney,

Mr. E. G. Morton,
Pratt,
Raymond,
Sherman,
Abram Smith,

Congdon,
Deare,
Eldridge,
Fifield,
Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,

Littlejohn,
Lockwood,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,

Thayer,
Tinharn,
Toll,
Warner,
White,
Winans,
Wight,

37

. NAYS.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Davis,
Denman,
Dixon,
Dockeray,
Donaldson,
Dow,

Erskine,
Fellows,
Fitch,
Fowle,
Gargett,
Green,
Grinnell,
Griswold,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Read,

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

56

The question recurring upon admitting Mr. Freeman to a seat in the House,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Betts,
Bliss,
Buckley,
Buell,
Burt,
Cobb,
Combs,

Mr. Fellows,
Fowle,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,

Mr. Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,

Cook,
Cowan,
Crane,
Orego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,

Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Parsons,
Porter,
Rankin,
Raymond,
Read,

Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker.

56

NAYS.

Mr. Allen,
Barnes,
Beakes,
Bentley,
Chapoton,
Clark,
Congdon,
Deare,
Eldridge,
Fifield,
Gaylord,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,

Mr. J. C. Miller,
John Miller,
H. G. Morton,
Pratt,
Tinham,
Toll,
Warner,
White,
Winans,
Wight,

82

Mr. Chandler Freeman then came forward, and after having subscribed and sworn to the constitutional oath, was admitted to a seat as a Representative in the Legislature of the State of Michigan.

Mr. Hemingway offered the following:

Resolved, That the Clerk order 1,500 copies of the Daily Journal for the use of the members of the House;

On motion of Mr. Lockwood,

The resolution was laid on the table.

Mr. Read offered the following:

Resolved, That the 40th rule of the House be amended by adding after the words "Geological survey," the words "On militia;" also, that rule 41 be amended by striking out the words "on militia."

Laid on the table for one day, under the rules.

Mr. Bliss offered the following:

Resolved, That rule 40 of this House be amended by adding thereto the words "a committee on salt interest."

Laid on the table for one day, under the rules.

Mr. Howell offered the following:

Resolved, (if the Senate concur,) That the two Houses meet in joint convention, at 11 o'clock this day, to receive any communication the Governor may be pleased to make;

Which was adopted.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to aid the several counties in the Upper Peninsula in the construction of roads and bridges, and other improvements, by remitting specific taxes collected within said counties.

Also,

A bill to provide for the collection of taxes in the county of Ontonagon.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to provide for the better security of mechanics and others erecting buildings in this State;

Also,

A bill to prevent the counterfeiting and fraudulent use of trade marks, labels and stamps;

Also,

A bill to provide for recording United States revenue stamps attached to instruments authorized by law to be recorded.

The Sergeant-at-Arms announced a committee from the Senate.

The committee reported that the Senate would meet the House in joint convention at 11 o'clock, to receive the message of His Excellency, the Governor.

Mr. Howell moved that a committee of two be appointed to wait upon the Senate and inform that body that the House was now ready to receive them in joint convention;

Which motion prevailed.

The Speaker appointed Messrs. Howell and Winans as such committee.

Mr. Howard gave notice that, on some future day, he would ask leave to introduce

A bill to amend act 168 of session laws of 1859, approved Feb. 14th, 1859, entitled an act to provide for the drainage and reclamation of the swamp lands in Township Six (6), north of range fourteen (14), and fifteen (15), west, and to aid the Township of Holland in the improvement of the harbor at the mouth of North Black River, in said township.

S. Titus Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to provide for assessing property at its true value, and for levying and collecting taxes thereon," approved February 14th, eighteen hundred and fifty-three, and the acts amendatory thereto, approved February 12th, eighteen hundred and fifty-five, and February 14th, eighteen hundred and fifty-eight.

Mr. Jenison gave notice that on some future day he would ask leave to introduce

A bill to legalize certain volunteer family relief orders, issued in the county of Clinton.

S. Titus Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend section thirty-seven hundred and eighty-six, chapter one hundred and seventeen of the compiled laws, in relation to certified transcripts of judgments rendered by justices of the peace.

The Sergeant-at-Arms announced the Honorable the Senate.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. Charles S. May, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary of the Senate, and a quorum of the members were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced that the joint con-

vention had assembled for the purpose of receiving the message of his Excellency, the Governor.

Senator Monroe moved that a committee of one from the Senate and two from the House be appointed to wait upon his Excellency, the Governor, and inform him that the two Houses were assembled in joint convention, and ready to receive any communication which he may desire to make;

Which was adopted.

Senator Monroe and Representatives Beakes and Woodman were appointed such committee.

After a short absence the committee returned and reported that they had discharged the duty assigned them, and that Governor Blair would immediately communicate with the joint convention in person.

Representative Howell moved that the Judges of the Supreme Court, and the State officers, be invited to seats within the bar of the House;

Which motion prevailed.

His Excellency Governor Blair then delivered, in person, his message.

After which, on motion of Representative Howell,
The convention adjourned *sine die*.

W. A. BRYCE,

Secretary of the Senate,

ED. W. BARBER,

Clerk of the House of Representatives,

and Secretaries of the Joint Convention.

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

Mr. Howell offered the following:

Resolved, That this House do now proceed to a nomination of Senator of the United States, in the place of Zachariah Chandler, whose term of office expires on the third day of March next;

Mr. J. C. Miller moved that the House adjourn until 2 o'clock this afternoon;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Barnes,
Beakes,
Bentley,
Chapoton,
Clark,
Congdon,
Crege,
Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,

Mr. Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
Pratt,
Sherman,
Spencer,
Abram Smith,
Tinharn,
Toll,
White,
Winans,
Wight,

32

NAYS.

Mr. Abbott,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Fellows,
Fowle,
Freeman,

Mr. Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Raymond,
Read,

Mr. Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

55

Mr. Howard moved that the House adjourn until to-morrow morning, at 10 o'clock;

The Speaker declared the motion out of order, no other busi-

ness having intervened since a similar motion had been put and lost.

Mr. Lockwood appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the House,"

Mr. Lockwood demanded the yeas and nays.

The demand was seconded, and the decision of the Chair was sustained, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,

Mr. Fellows,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Raukin,
Raymond,
Read,

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,
Woodman,

61

NAYS.

Mr. Barnes,
Beakes,
Bentley,
Chapoton,
Clark,
Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,
Grinnell,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
Porter,
Pratt,
Sherman,
Tinham,
Warner,
White,
Wight,

82

The question recurring upon the adoption of the resolution, Mr. Howell demanded the previous question.

The demand was seconded, and the main question ordered.

The resolution was adopted by yeas and nays as follows:

YEAS.

Mr. Abbott,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,

Mr. Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Heminway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Raymond,
Read,

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

59

NAYS.

Mr. Allen,
Barnes,
Beakes,
Bentley,
Chapoton,
Clark,
Congdon,
Deare,
Donaldson,
Eldridge,
Fife'd,

Mr. Fitch,
Gaylord,
Grosebeck,
Harmon,
Hodgkinson,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
Pratt,
Sherman,
Tinham,
Toll,
Warner,
White,
Winans,
Wight,

33

The question being upon the nomination of a candidate for the office of United States Senator, the vote was taken with the following result:

FOR ZACHARIAH CHANDLER.

Mr. Abbott,
Aldrich,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Duckeray,
Dow,
Erskine,

Mr. Fellows,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Luther,
Mallory,
McMartin,
H. C. Morton,
Mosher,
Parsons,
Porter,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

60

FOR JAMES F. JOY.

Mr. Barnes,
Beakes,
Chapoton,
Clark,
Congdon,
Deare,
Donaldson,
Eldridge,
Fifield,
Fitch,
Gaylord,
Grosebeck,

Mr. Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,
J. C. Miller,

Mr. John Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinham,
Toll,
Warner,
White,
Winans,
Wight,

34

FOR SOLOMON L. WETHEY.

Mr. Bentley.

1

The Speaker announced that Hon. Zachariah Chandler, having received a majority of all the votes cast, was declared duly nominated by the House for the office of United States Senator.

On motion of Mr. Wilson,

The House adjourned until this afternoon at two o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Hemingway gave notice that he would, on some future day, ask leave to introduce

A bill to amend section 117, chapter 90 of the revised statutes of 1846, being section 8570 of the compiled laws;

Also,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1858, being chapter 17 of the compiled laws, by adding a new section thereto, to stand as section 159 ;

Also,

A joint resolution to provide for amendments to article 7, section 1 of the constitution;"

Also,

A bill to amend section 872, of the compiled laws;

Also,

A bill to amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws, and to authorize the salary of county clerks.

Mr. Rankin offered the following:

Resolved, That each member of the House be allowed five dollars for stationery and newspapers, and that the committee on supplies and expenditures be authorized to furnish the Speaker, the Clerk of the House, the Engrossing and Enrolling Clerk, and each standing and select committee, such amount of stationery as may be necessary for their use ;

Which was adopted.

Mr. John Miller gave notice that on some future day, he would ask leave to introduce

A bill to legalize and authorize the issuing certain bonds by the Board of Supervisors of St. Clair County;

Also,

A bill to amend sections 352 and 353 of the compiled laws of the State of Michigan.

Mr Howard offered the following:

Resolved, That the Speaker be authorized and requested to appoint one additional messenger for the House; also, that the Clerk appoint one for his own special use, and report such appointment to this House.

Mr. Buckley moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

The Sergeant-at-Arms announced a committee from the Senate.

The committee reported that they were appointed by the Senate to inform the House that the Senate would meet the House in joint convention at 3 o'clock, to compare the nominations of the two Houses for the office of United States Senator.

Mr. Howell moved that a committee of two be appointed to inform the Senate that the House would receive the Senate in joint convention at 3 o'clock this afternoon, to compare the nominations of the two Houses of a candidate for the office of United States Senator;

Which motion prevailed.

The Speaker appointed Messrs. Howell and Toll as such committee.

Mr. Hemingway offered the following:

Resolved, That the officiating clergymen of Lansing be invited to officiate alternately as chaplains of the House;

Which was adopted.

The committee appointed to inform the Senate that the House would receive the Senate in joint convention, to compare the nominations of the two Houses, of a candidate for the office of United States Senator, at 3 o'clock this afternoon, reported that they had performed the duty assigned them.

Mr. Jenison gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Eagle, in the county of Clinton, to assess upon the township at large, a sum not exceeding seven hundred dollars, for a volunteer fund.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment roll of Hancock township, Houghton county, for the year A. D. 1862;

Also,

A bill asking the remission of certain over-paid State taxes in the county of Houghton, for the years 1861 and 1862.

Mr. Deare offered the following:

Resolved, That there be printed, for the use of the House, the following number of copies of the Governor's message: 6,000 in the English language, 2,000 in the German language, and 1,000 in each the French and Holland languages, and that they be equally distributed among the members and officers of the House.

Mr. Howell moved to amend the resolution by striking out "6,000," and inserting "8,000," and that 4,000 of the messages printed in the English language be distributed among the Michigan regiments in the field, through the State Military Department;

The amendment was accepted.

The resolution, as amended, was then adopted.

Mr. T. G. Smith moved to take from the table the resolution relative to printing the daily journal of the House;

Which motion prevailed.

Mr. E. G. Morton offered the following substitute for the resolution:

Resolved, That 1,000 copies of the daily journal of the Senate and House be furnished to, and equally distributed among, the members of this House.

Mr. Donaldson moved to amend the substitute by striking out "1,000" and inserting "2,000;"

Which motion did not prevail.

Mr. Hemingway moved to amend the substitute by striking out "1,000," and inserting "1,500" in place thereof;

Which motion prevailed.

The substitute, as amended, was then adopted.

The resolution, as amended by the substitute, was then adopted.

Mr. Deare offered the following:

Resolved, That the daily sessions of the House commence at 10 o'clock A. M., until otherwise ordered;

Mr. Erskine moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Denman moved to strike out the word "ten," and insert the word "nine" in lieu thereof;

Which amendment was withdrawn.

The resolution was then adopted.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

Joint resolution asking a grant of land of the General Government to make a wagon road from Copper Harbor, Michigan, to Appleton, Wisconsin.

S. Titus Parsons gave notice that on some further day he would ask leave to introduce

A bill to amend sections one hundred and seventeen and eighteen, chapter ninety, of the revised statutes, the same being sections thirty-five hundred and seventy, and thirty-five hundred and seventy-one, chapter one hundred and fifteen, of the compiled laws, in relation to sales of mortgaged premises under a decree in chancery.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following message from the Senate:

SENATE CHAMBER,
Lansing, January 8, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, by the Senate, (the House concurring,) That the State printer be instructed to transmit to each newspaper in the State, one copy each of the daily Journal of the Senate and House of Representatives, during the session;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Hemingway,

The House concurred in the adoption of the resolution.

The Speaker announced the appointment of the following messengers: Eddie Warren, of Wayne county; Charles C. Adams, of Kalamazoo county; Charles Wright, of Genesee county; Porter A. Jones, of Newaygo county; Hart Farrand, of Ingham county; Charles R. Green, of Macomb county; Charlie Rice, of Wayne county.

MESSAGE FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, January 8, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to inform the House that the Senate has duly nominated a candidate for the office of United States Senator, in place of Hon. Zachariah Chandler, whose term of office will expire on the 4th day of March next.

Very respectfully,

W. A. BRYCE,
Secretary of the Senate.

The message was laid on the table.

The Speaker announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 8, 1868. }

To the Speaker of the House of Representatives:

SIR—I have this day appointed Wm. H. Child, messenger, pursuant to a resolution of the House.

Very respectfully,

ED. W. BARBER, *Clerk.*

The Sergeant-at-Arms announced the Honorable the Senate.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by Hon Charles S. May, Lieutenant Governor, and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the Senators were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced the object of the joint convention to be to compare the nominations of the two Houses of the Legislature, of a candidate for the office of United States Senator, for the full term of six years, from the fourth day of March next, and that the Senate had duly nominated Hon. Zachariah Chandler.

The Speaker of the House of Representatives announced that the House had duly nominated Hon. Zachariah Chandler, for the office of United States Senator, for the full term of six years from the fourth day of March next.

Whereupon, the President of the joint convention announced that the two Houses having agreed in their nominations, Honorable Zachariah Chandler be, and hereby is declared duly elected to the office of United States Senator, for the full term of six years from the fourth day of March, one thousand eight hundred and sixty-three.

On motion of Senator Gidley,

The joint convention adjourned *sine die*.

WM. A. BRYCE,

Secretary of the Senate.

ED. W. BARBER,

*Clerk of the House of Representatives,
and Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the joint convention had compared nominations, and the two Houses having agreed in their nominations, Hon. Zachariah Chandler had been declared duly elected Senator in the Congress of the United States, for the full term of six years, from the fourth day of March next.

On motion of Mr. Dow,

The House adjourned till to-morrow morning, at 10 o'clock,

Lansing, Friday, January 9th, 1863.

House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Boynton.

Roll called: quorum present.

On motion of Mr. Toll,

The reading of the journal was dispensed with, until further ordered.

Mr. Green announced that Hon. D. D. Piper, a member elect from Lenawee county, was present, and desired to take his seat.

Hon. D. D. Piper, member elect from the 2d district of Lenawee county, then came forward, and after having subscribed and sworn to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker also administered the oath of office to the Assistant Chief Clerk, the Assistant Engrossing and Enrolling Clerk, and the Assistant Sergeant-at-Arms, and the several officers named entered upon the discharge of their duties.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Beakes gave notice that on some future day he would ask leave to introduce

A bill to provide for the payment of moneys advanced by

citizens of the State of Michigan to clothe and equip the volunteer militia of said State;

Also,

A bill to repeal section 25, of chapter 84, of the revised statutes of this State, (being section 3246 of the compiled laws);

Also,

A bill to amend section 5, of chapter 104, of the revised statutes, (being section 4419 of the compiled laws), so as to apply the provisions of said section to judgments upon verdicts.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State;

Also,

A bill to amend sections 1, 2, 3, 4, 90, 91 and 92, of an act for the re-organization of the military forces of the State of Michigan, the same being act number 16, of the laws of extra session of 1862, approved January 18, 1862;

Also,

A bill to authorize the qualified electors of any township, at any regular meeting, to borrow or raise money to pay township bounties to volunteers to fill township quotas, and to legalize previous actions of townships;

Also,

A bill to allow the Lafayette Benevolent Society, of the city of Detroit, to alter and amend its articles of association.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of Saginaw county to issue the bonds of the county, for the purpose of paying the bounty to volunteers from said county;

Also,

A bill to amend the charter of the city of Saginaw.

Mr. Howell, by unanimous consent, presented the petition of

Hon. Henry Miller, claiming the seat in this Legislature now occupied by Hon. John N. Donaldson.

On motion, of Mr. Howell,

The petition was laid on the table and ordered printed in the journal.

The following is the petition:

To the Honorable the House of Representatives of the State of Michigan:

The petition of Henry Miller, of the county of Oakland, shows that at the last general election, held in said State of Michigan, he was duly elected a member of the House, as a Representative for the First Representative District of the county of Oakland; that at said election, John N. Donaldson was the candidate on the Democratic or Union ticket, and this petitioner was the candidate on the Republican ticket for said office of Representative, and that upon the legal canvass of all the votes given in said Representative District, for said office of Representative, this petitioner received a majority of four votes over the said Donaldson; that after the legal canvass of the votes had been made, in the town of Addison, in said district, and without authority of law, corruptly, falsely, and criminally, as this petitioner has good reasons to believe, additions were made to the votes given and canvassed for said Donaldson, some days after the election, by which two votes were added to the vote for said Donaldson, as declared at the legal canvass; and that again, on Monday night, and six days after the day of the general election, and the legal canvass as aforesaid, the inspectors of elections of said town, secretly assembled together, at the private dwelling house of the said Donaldson, (he, the said Donaldson, acting as the town clerk of Addison,) at which said secret session they opened the box containing the ballots polled at the election aforesaid, in said town, and added three more votes to the number declared for said Donaldson at the said legal canvass, by which several operations five votes, in the aggregate, were added to Donaldson's legal majority over this petitioner, in said town of Addi-

son; that in accordance with these fraudulent and illegal additions, the returns of the votes given in said town, for the said office of Representative, were made to the board of district canvassers, and by said board of district canvassers, received and counted, and by which said board of district canvassers, Donaldson was declared elected over this petitioner, by a majority of one vote. Your petitioner, therefore, asks that an investigation be ordered by this House, and that if he be found entitled, he be admitted a member of this House for the said First Representative District, of the county of Oakland, in place of the said John N. Donaldson, the sitting member.

Respectfully submitted.

HENRY MILLER.

Lansing, January 9, 1863.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill authorizing Michigan soldiers to vote at general elections.

Mr. Griswold gave notice that on some future day he would ask leave to introduce

A bill to repeal the 2d section of act number 106 of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes.

Mr. Read moved to take from the table the following resolutions :

Resolved, That the 40th rule of the House be amended by adding after the words "geological survey," the words "on militia;" also, that rule 41 be amended by striking out the words "on militia."

Resolved, That rule 40 of this House be amended by adding thereto the words "a committee on salt interest."

Mr. Howell moved to strike out the words "salt interest," in the second resolution, and insert "saline," in lieu thereof;

Which motion prevailed.

Mr. Williams offered the following as a substitute for the first resolution:

Resolved, That the fortieth rule of the House be amended by inserting below the words "geological survey," the words "committee on militia;" also, that rule 41 be amended by striking out the words "on militia;"

Which was adopted.

The resolutions, as amended, were then adopted.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to revise an act entitled an act to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein.

Mr. Lockwood offered the following:

Resolved, That the Clerk of this House be authorized to purchase of William T. Young 100 copies of his key to the compiled laws of 1857, showing the amendments made thereto, for the use of the members of this House, at a cost not exceeding twenty-five dollars;

Which was adopted.

Mr. Rankin offered the following:

Resolved, That the Clerk cause a copy of the daily journal of this House, during the present session, to be supplied to each of the following persons, viz: The Governor, the several State officers, our Senators and Representatives in Congress, and the Judges of the Supreme and Circuit Courts;

Mr. Read moved to amend the resolution by adding thereto the words "and to each of the county clerks in the State;"

Which amendment was accepted.

The resolution, as amended, was adopted.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to amend section 4159 of the compiled laws;

Also,

A bill to amend chapter 115 of the compiled laws, entitled of courts of chancery;

Also,

A bill to amend section 4581 of the compiled laws;

Also,

A bill to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859.

Mr. Mallory gave notice that on some future day he would ask leave to introduce

A bill to authorize the Mt. Clemens & Romeo plank road company to discontinue a portion of their road, and for other purposes.

Mr. E. G. Morton gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security of costs in justices' courts.

Mr. Barnes moved that the House adjourn until this afternoon at 3 o'clock;

Mr. Mason moved to amend by striking out "this afternoon at 3 o'clock," and inserting in place thereof the words "tomorrow morning at 10 o'clock;"

Which amendment was accepted.

The motion, as amended, was then adopted, and

The Speaker declared the House adjourned until to-morrow morning at 10 o'clock.

Lansing, Saturday, January 10, 1868.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Mr. Barnes announced that Hon. John D. Woodworth, a member elect from Ingham county, was present, and desired to take his seat.

Hon. John D. Woodworth, member elect from the 2d district

of Ingham county, then came forward, and after having subscribed and sworn to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker announced the following

STANDING COMMITTEES.

Ways and Means—Messrs. Davis, Denman, Bliss, Warner, E. G. Morton.

Judiciary—Messrs. Parsons, Howell, Hemingway, Pratt, Lockwood.

Federal Relations—Messrs. Howell, Wheeler, Fowle, Griswold, Gaylord.

Banks and Incorporations—Messrs. Sweezey, Mallory, G. A. Smith, Barnes, H. A. Hayden.

Public Lands—Messrs. Wilson, Pendill, Burt, Dixon, Grosebeck.

Elections—Messrs. T. G. Smith, Piper, Welch, Eldridge, J. O. Miller.

Internal Improvements—Messrs. Green, Fellows, Grinnell, Spencer, Wight.

State Affairs—Messrs. Read, Cowan, Winsor, Raymond, Littlejohn.

Agriculture and Manufactures—Messrs. Crego, Crane, Betts, Dockeray, Winans.

Education—Messrs. Haze, Williams, Luther, Beakes, Warner.

Harbors—Messrs. Thomas, H. C. Morton, Buckley, Toll, Howard.

Roads and Bridges—Messrs. Weatherby, Dow, Hood, Thayer, Hodgkinson.

Engrossment and Enrollment—Messrs. Betts, Aldrich, Fellows, Clark, Winans.

Asylum for Insane.—Messrs. Combs, Rankin, Cobb, Keeney, Jenison.

Printing—Messrs. Rankin, McMartin, Slafter, Deare, Abram Smith.

Asylum for Deaf, Dumb and Blind—Messrs. Stewart, Burt, T. G. Smith, Chapoton, Fitch.

Towns and Counties—Messrs. Erskine, Gargett, Dixon, Congdon, McKernan.

Geological Survey—Messrs. Williams, Buell, Freeman, Tingham, John Miller.

Rules and Joint Rules—Messrs. Mallory, Cook, Bowen, Green, White.

Militia—Messrs. Woodman, Davis, Wilson, Beakes, Harmon.

Supplies and Expenditures—Messrs. Cook, Mosher, Fifield.

Indian Affairs—Messrs. Buckley, Bowen, Toll.

State Prison—Messrs. Griswold, Read, Mason.

Mines and Minerals—Messrs. Sherman, Winsor, Allen.

State Library—Messrs. Fowle, Aura Smith, Bentley.

Reform School—Messrs. Woodworth, Abbott, Donaldson.

Salines—Messrs. Bliss, Porter, Voorhies, Sprague, Henry Hayden.

PRESENTATION OF PETITIONS.

By Mr. Deare: memorial of the Board of Supervisors of Wayne county, asking an amendment to the volunteer family relief act, so as to extend the time for borrowing money; also, that the board be invested with power to create a sinking fund; also, relative to making the act a general State law;

Referred to the committee on State affairs.

By Mr. Wilson: petition of George Wilson and 38 others, to attach the north half of town 12 to Lapeer county, and organize the same into a new township;

Referred to the committee on towns and counties.

By Mr. Read: petition of S. Howland, Fred. Auldrich and 120 others, citizens of the township of Ross, for a law authorizing the raising of soldiers' bounty money in that county;

Referred to the committee on militia.

By Mr. Buckley: petition of David Young, Charles Coy and 30 others, asking that a general act may be passed, authorizing townships, cities and wards, or either of them, to collect by tax whatever bounty money may have been raised by subscription in the respective townships, cities and wards, to obtain volunteers;

Referred to the committee on banks and incorporations.

By Mr. Dow: petition of the Supervisors of Eaton county, for an amendment of law relative to salary of judge of probate;

Referred to the committee on judiciary.

By Mr. Barnes: memorial of Mason Branch and 146 others, citizens of the township of Stockbridge, Ingham county, setting forth the proceedings of a public meeting in said township, and praying for the passage of a law to enable said town to assess certain sums paid as bounties to volunteers upon the taxable property of the township;

Referred to the committee on banks and incorporations.

By Mr. Eldridge: petition of Vinson Seeley and 33 others, praying for a change in the game law;

Referred to the committee on State affairs.

By Mr. Dixon: petition for relief as to a land claim of Andrew J. Blackbird;

Referred to the committee on the judiciary.

By Mr. Griswold: petition of Lemon Chapel, John L. Clements and 11 others, residents of the town of Ada, Kent county, for the repeal of section 2, of act number 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes, approved April 1st, 1840;

Referred to the committee on education.

By Mr. Wilson: petition of James F. Joy to the Republican members of this House, not to send Chandler or Wade to the United States Senate; and also a very modest hint that he, for himself, did not desire to be a candidate.

Mr. Sherman moved that the petition be entered in full upon the journal;

Which motion did not prevail.

The petition was then referred to the committee on federal relations.

By Mr. Miller: petition of the supervisors of St. Clair county, praying for the legalization of bonds issued by them for war purposes;

Referred to the committee on banks and incorporations.

The Speaker, by unanimous consent, announced the following:

To the Speaker of the House of Representatives:

DETROIT, January 3, 1863.

SIR:—On behalf of the Trustees of the Detroit Savings Fund Institute, I have the honor to submit herewith a statement of its condition to December 31, 1862.

Very respectfully, your obt. servant,

A. H. ADAMS,

Cashier.

The communication was laid on the table.

The following is the statement:

Condition of the Detroit Savings Fund Institute, Dec 31, 1862.

LIABILITIES.

To depositors, numbering 1958,.....	\$453,321 74
Excess of means,.....	11,145 83
	<hr/> \$464,467 57

MEANS.

Bills discounted,.....	\$106,689 97
Mortgages on lands in the city of De-	
troit, Wayne county,.....	86,141 89

BONDS.

United States,.....	\$10,050 00
City of New York,.....	5,000 00
State,	6,600 00
Wayne county,.....	15,000 00
Detroit and Pontiac, and De-	
troit and Milwaukee R. R.	13,517 50
	<hr/> 50,167 50
Government stamps,.....	520 00
Office furniture and safe,.....	1,023 67
	<hr/> \$244,543 08

CASH.

On deposit in New York, ..	\$84,769 01
“ Boston,	660 74
“ Detroit,	32,039 17
On hand,	102,455 62
	<hr/> \$219,924 54
	<hr/> \$464,467 57

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Read offered the following:

Resolved, That so much of the Governor's message as relates to the State finances, the public debt, and the levying and collecting of taxes, be referred to the committee on ways and means;

2d. That so much as relates to the State Prison, and House of Correction, at Detroit, be referred to the committee on State Prison;

3d. That so much as relates to education, be referred to the committee on education;

4th. That so much as relates to the Agricultural College, be referred to the committee on agriculture and education, jointly;

5th. That so much as relates to swamp lands, be referred to the committee on public lands;

6th. That so much as relates to the manufacture of salt, be referred to the committee on salines;

7th. That so much as relates to the Insane Asylum, be referred to the committee on the same;

8th. That so much as relates to the Deaf, Dumb and Blind Asylum, be referred to the committee on the same;

9th. That so much as relates to the State Reform School, be referred to the committee on the same;

10th. That so much as relates to the State Capitol and the offices be referred to the committee on State affairs;

11th. That so much as relates to the military department, be referred to the committee on militia;

12th. That so much as relates to national affairs, be referred to the committee on federal relations;

13th. That so much as relates to internal improvement, be referred to the committee on the same;

14th. That so much as relates to the military land grant from Congress, be referred to the committee on federal relations and State affairs jointly;

15th. That so much as relates to military schools, be referred to the committee on education, militia and agriculture, jointly;

Which was adopted.

Mr. Deare offered the following:

Resolved, That the Clerk of this House be, and is hereby authorized to cause to be printed for the use of this House, any number of copies of the list of the standing committees of the House, not to exceed 500;

Which was adopted.

Mr. Barnes offered the following:

Resolved, That the use of this Hall be granted to the ladies of the Methodist Episcopal Church of this city, on Wednesday evening, the 14th instant, for the purpose of a festival to aid in furnishing their new church edifice;

Which was adopted.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of Houghton county to appropriate certain swamp land money belonging to the L'Anse and State Line road in Houghton county;

Also,

A bill requiring the agents of copper mines to make annual report to the clerk of their respective counties, of the amount of copper produced in each year.

Mr. Howell moved to take from the table the petition of Hon. Henry Miller, claiming a seat in this House, in place of Hon. John N. Donaldson, the sitting member;

Which motion prevailed.

Mr. Howell then moved that the petition be referred to the committee on elections, and that said committee be empowered to send for persons and papers, and that said parties respect-

ively, have leave to appear before said committee and the House, by counsel of their choice;

Which motion prevailed.

Mr. E. G. Morton offered the following:

Resolved, by the House of Representatives, (the Senate concurring,) That the military authorities of this State be, and they are hereby instructed to call upon the clerks of the several counties, for a full and complete list of all the volunteers who have enlisted from their respective counties, in the service of the government, since the commencement of the present war, at any place in the State, and in any of the Michigan regiments, with the view of crediting each county every volunteer who was a resident of the county at the time of enlisting; and that they delay a draft in this State until such returns are made by the county clerks, and ample justice is done to each and every county;

Laid on the table for one day, under the rules.

Mr. Mallory gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Washington, in the county of Macomb, so that a tax voted at a special town meeting, held in said town, to pay volunteers, held on the 17th day of December, 1862, may be collected, and to legalize the same.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill to change the time of holding elections in the counties of the Upper Peninsula.

Mr. Eldridge gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act for the protection of game in the State of Michigan, approved February 14, 1859;

Also,

A bill to amend section 4, of chapter 150, of the revised stat-

utes of the State of Michigan, being 5640 of the compiled laws;

Also,

A bill to amend an act entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1850.

Mr. Pratt gave notice that on some future day he would ask leave to introduce

A bill to amend the compiled laws in relation to attachments in civil causes in the circuit courts;

Also,

A bill to amend the law in relation to the transfer of justice's dockets in certain cases;

Also,

A bill for the assessment and collection of taxes on dogs.

Mr. E. G. Morton offered the following:

Resolved, That the members of the House furnish the Clerk of the House the names of all papers published in their respective districts, and the places of their location, to enable him to comply with the resolution heretofore adopted;

Which was adopted.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend section fifty-three hundred and fifty, chapter one hundred and sixty-four, of the compiled laws, in relation to the limitation of actions relating to real property;

Also,

A bill to amend section fifteen, chapter one hundred and fifty-one, of the revised statutes, the same being section fifty-six hundred and fifty-one, chapter one hundred and seventy-five, of the compiled laws, in relation to fees of justices of the peace in civil cases.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to authorize the township board of any township in the county of Wayne to issue the bonds of said township to pay a bounty to volunteers.

Mr. T. G. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of chapter 157, of the compiled laws, relative to foreclosure of mortgages by advertisement.

Mr. Littlejohn gave notice that on some future day he would ask leave to introduce

A bill to reduce the price of school lands in the township of Heath, in the county of Allegan;

Also,

A bill to reduce the price of school lands in the township of Olyde, in the county of Allegan.

Mr. Pratt offered the following:

Resolved, That the Sergeant-at-Arms be directed to furl the dark canvass around the windows of this Hall, as much as possible, that the light of Heaven may shine in upon us, and the same be done before Monday next;

Which was adopted.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to authorize the qualified electors of any township, at any regular meeting, to borrow or raise money to pay township bounties to fill township quotas, and to legalize previous actions of townships.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to provide for the relief, by counties, of the families of volunteers, mustered from this State into the military service of the United States, or of this State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 3786, chapter 117, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. John Miller, previous notice having been given, and leave being granted, introduced

A bill to legalize and authorize the issuing of certain county bonds, by the county of St. Clair.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend section 117, chapter 90, of the revised statutes of 1846, being section 3570 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 14, 1858.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, being chapter 17 of the compiled laws, by adding a new section thereto, to stand as section 159.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws, and to authorize the salary of county clerks.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

Joint resolution to provide for amendment to article 7, section 1, of the constitution.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of taxes of said township.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution asking a grant of land from the general government, to make a wagon road from Copper Harbor, to the city of Appleton, in the State of Wisconsin.

The joint resolution was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend section 872 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Barnes gave notice that on some future day he would ask leave to introduce

A bill to amend the law regulating the compensation of township treasurers.

Mr. T. G. Smith offered the following:

Resolved, That until the further order of this House, there shall be but one session a day, and that when the House adjourn each day, it shall be until ten o'clock of the forenoon of the next business day;

Mr. Beakes moved to strike out all after the word "day," where it first occurs in the resolution;

Which motion prevailed.

The resolution, as amended, was then adopted.

On motion of Mr. Read,

The House adjourned until Monday morning at 10 o'clock.

Lansing, Monday, January 12, 1863.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Clark.

Roll called: quorum present.

Absent at roll call, Messrs. Warner and Wight.

Mr. Mason asked and obtained leave of absence for Mr. Wight, for an indefinite time, on account of sickness.

Mr. Sherman announced that Hon. James P. Pendill, member elect from the counties of Marquette, Chippewa, &c., was present, and desired to take his seat.

Hon. James P. Pendill, member elect from the counties of Marquette, Chippewa, &c., then came forward, and after having subscribed and sworn to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker announced the appointment of Firemen, as follows: Levi Hollister, of Clinton county; Barnhardt Rice, of Saginaw county.

PRESENTATION OF PETITIONS.

By Mr. Fellows: memorial, by resolution, of the board of supervisors of Kalamazoo county, asking the passage of an act to raise, by general tax upon the property of the several townships, an amount necessary to refund all individual subscriptions to the bounty fund;

Referred to the committee on banks and incorporations.

By Mr. Howell: petition of the board of supervisors of Mecosta county, asking that their acts in paying bounty to volunteers be legalized;

Referred to the committee on banks and incorporations.

By Mr. Howell: petition of inhabitants of Mecosta county, asking that the county of Clare be attached to the county of Mecosta for judicial and municipal purposes;

Referred to the committee on the judiciary.

By Mr. Abbott: petition of the township board of the township of Athens, Calhoun county, authorized by a special town meeting of said township, for an act to legalize a soldiers' bounty tax of \$1,900 upon the taxable property of said township;

Referred to the committee on banks and incorporations.

By Mr. Abbott: petition from R. Sapp and 30 others, asking a donation of Michigan State swamp land to five colleges in this State;

Referred to the committee on public lands.

By Mr. Toll: petition of John Quimby and 18 others, for an act to change the name of Bleeker county to Menominee, and to organize the same;

Referred to the committee on towns and counties.

By Mr. Gargett: petition of J. S. Nevins and 65 others, asking for an appropriation of six sections of swamp land, situated in townships eleven and twelve north, of range ten west, to be granted for the drainage of the same;

Referred to the committee on public lands.

By Mr. Abbott: petition of the supervisors and school board

of the township of Athens, Calhoun county, to annul the tax for building a school house in district No. 7, of said township;

Also, remonstrance of Joseph B. Ketchum and 18 others against the same.

Mr. Abbott moved that the petition and remonstrance be referred to a special committee of three;

Which motion prevailed.

The Speaker appointed Messrs. Abbott, Barnes and Lockwood, as such committee.

By Mr. McMartin: petition of Orrin Brown and 93 others, citizens of Martin, Allegan county, asking for a law to authorize the supervisors of said town to assess a tax to refund money loaned, to aid volunteering in said town;

Referred to the committee on banks and incorporations.

By Mr. McMartin: petition of Frank Newman and others, for relief in the purchase of lands on section 16, town 4 north, of range 12 west;

Referred to the committee on public lands.

By Mr. Mason: memorial of the German American Seminary, asking an amendment to act No. 175, of session laws of 1861, granting 25,000 acres of swamp lands;

Referred to the committee on public lands.

By Mr. Bliss: petition of O. B. Mott, J. F. Driggs and 81 others, praying for a State swamp land road from East Saginaw, to intersect the Bay City plank road, at the junction, in Bloomfield;

Referred to the committee on public lands.

By Mr. McKernan: petition of S. L. Smith and 57 others, for a remission of State taxes, and the appropriation of specific taxes for roads and bridges, in Houghton county;

Referred to the committee on mines and minerals.

By Mr. White: petition for the relief of Centad Gilmire, for the refunding of money paid for internal improvement lands erroneously conveyed by Commissioner of State Land office;

Referred to the committee on internal improvement.

By Mr. Erskine: resolution of the board of supervisors of

Sanilac, county in favor of a State volunteer family relief law;
Referred to the committee on ways and means.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 10, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved By the Senate, (the House concurring,) That of each bill and joint resolution ordered printed, 300 copies be furnished for the use of the members of the Legislature;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr Hemingway moved that the House concur in the adoption of the resolution;

Mr. Howell moved to amend the resolution by striking out "300," and inserting "500" in lieu thereof;

Which amendment was adopted.

The resolution, as amended, was then concurred in.

Also the following:

SENATE CHAMBER,
Lansing, January 8, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, (the House concurring,) That two thousand copies of the Governor's message be printed and placed in the hands of the Adjutant General, for the purpose of distributing the same equally among the several regiments now in the field from this State;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Howell,

The resolution was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell offered the following:

Resolved, That the committee on supplies be directed to furnish each member and officer of this House, a copy of "Farmer's Township Map of Michigan," at a cost not exceeding fifty cents each;

Mr. Pratt moved to amend the resolution, by appointing Mr. Howell a special committee to negotiate with the publishers of the map for the purchase of the number of copies required;

Which amendment was accepted.

The resolution, as amended, was then adopted.

Mr. Griswold gave notice that on some future day he would ask leave to introduce

A bill to authorize the Register of Deeds of the county of Kent to record plats of any city or village, or any additions thereto, in said county, under certain circumstances, and to declare the effects of such record.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water craft;

Also,

A bill to amend an act entitled an act to authorize proceedings by garnishment in the circuit courts and the district courts of the Upper Peninsula, approved March 16, 1861;

Also,

A bill in relation to assignments for the benefit of creditors, and to compel assignees to give security.

Mr. Toll gave notice that on some future day he would ask leave to introduce

A bill to amend an act to organize the county of Bleeker, approved March 15th, 1861, and to change the name thereof.

Mr. Bliss gave notice that on some future day he would ask leave to introduce

A bill to locate a State road from Chesening to Bridgeport, in Saginaw county, and to appropriate State swamp lands on the same.

Mr. Beakes gave notice that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the city of Ann Arbor, approved April 4th, 1851, and the acts amendatory thereof;

Also,

A bill to amend chapter 124 of the revised statutes, (being chapter 152 of the compiled laws), regulating the proceedings in the action of replevin.

Mr. Wilson gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road through township eight north, range eleven east, in the county of Lapeer, and ask an appropriation of the non-resident tax one mile each side of said road, for the term of five years.

Mr. Dow gave notice that on some future day he would ask leave to introduce

A bill authorizing the board of supervisors of Eaton county to appropriate money belonging to the general fund in said county, to pay bounties to volunteers, and to legalize certain action relating thereto.

Mr. Howell offered the following:

Resolved, That there be ordered printed for the use of this House, to be equally distributed among the members and officers, the following documents: Auditor General's Report, 2,000 copies; State Treasurer's Report, 2,000 copies; Commissioner of State Land Office Report, 2,000 copies; Reform School Report, 1,000 copies; Adjutant General's Report, (one-half for the

use of the army,) 7,000 copies; Quartermaster General's Report, (one-half for the use of the army,) 4,000 copies; Sault St. Marie Canal Report, 500 copies;

On motion of Mr. Lockwood,

The resolution was referred to the committee on printing.

Mr. Howell offered the following:

Resolved, (the Senate concurring.) That the committee on printing be requested to prepare and cause to be published, with all possible dispatch, for the use of the two Houses, of this and the next Legislature, a Manual containing the rules of each House, joint rules, constitutions of the United States and State of Michigan, and such other matter as is usually contained in such work, or that they may deem proper;

Laid on the table for one day, under the rules.

Mr. Keeney offered the following:

Resolved, That the committee on State affairs be instructed to report a bill to prevent the destruction of game by the use of punt-boat or swivel guns within the jurisdiction of this State;

Which was adopted.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to amend section 19 of an act entitled an act to amend an act entitled an act to provide a military force, approved March 16, 1861, and to add several sections thereto, approved May 10, 1861;

Also,

A bill to provide for the assessment and collection of taxes in the township of Taymouth, and county of Saginaw, for the year 1862.

Mr. Cook gave notice that on some future day he would ask leave to introduce

A bill to amend section 10, chapter 12, of compiled laws, relative to the election of overseers of highways.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of Lapeer to con-

vey certain lands to school district No. 2, of the town of Lapeer, for educational purposes.

Mr. Deare moved to reconsider the resolution adopted on Saturday, relative to granting the use of the Hall to the Methodist Episcopal Church;

Which motion did not prevail.

Mr. T. G. Smith gave notice that on some future day he would ask leave to introduce

A joint resolution to amend section 18, of article 6, of Constitution, relative to jurisdiction of justices of the peace in civil cases.

Mr. Toll gave notice that on some future day he would ask leave to introduce

A bill to authorize the county of Bleeker to build a bridge across the Menominee river, and to donate a quantity of land to aid in the construction thereof.

Mr. Deare offered the following:

Resolved, That the use of the Hall of the House of Representatives shall not be granted to any society, or for any public entertainment or lecture, during the sessions of the Legislature, except lectures by State officers, relative to public institutions, unless by a unanimous vote of all the members present;

Which was adopted.

Mr. E. G. Morton gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the draining of swamps, marshes and other low lands.

Mr. J. C. Miller offered the following:

Resolved, That it be the duty of the judiciary committee to report on the propriety of so amending the statute as to make it obligatory on the judges of this State to make all their charges to juries, and decisions, in writing; also, whether some enactment is not necessary to compel the chancery judges to make a decision on all questions that come before them, within a given time;

Which was adopted.

Mr. John Miller, previous notice having been given, and leave being granted, introduced

A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of the compiled laws of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mallory, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of the township of Washington, in the county of Macomb.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend section 4581 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Eldridge, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act for the protection of game in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to amend section 4 of an act entitled an act to provide for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black River, in said township.

The bill was read a first and second time by its title, and referred to the committee on harbors.

Mr. Wilson, previous notice having been given, and leave being granted, introduced

A joint resolution asking our Senators and Representatives in Congress to use their influence to obtain a furlough of sixty days for the Seventh Regiment of Michigan Infantry.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Deare moved to have the resolution relative to the printing of the Governor's message, referred to the committee on printing;

On motion of Mr. Howell,

The motion was laid on the table.

Mr. Mallory gave notice that on some future day he would ask leave to introduce

A bill to repeal an act for the encouragement of agriculture, manufactures and the mechanic arts, approved March 16, 1849.

On motion of Mr. Howell,

The House adjourned until to-morrow morning at 10 o'clock.

Lansing, Tuesday, January 13, 1863.

House met pursuant, to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Burgess.

Roll called: quorum present.

Mr. Parsons announced that Hon. Henry Hayden, member elect from the counties of Bay, Ogemaw, &c., was present, and desired to take his seat.

Hon. Henry Hayden, member elect from the counties of Bay, Ogemaw, &c., then came forward, and after having subscribed and sworn to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

PRESENTATION OF PETITIONS.

By Mr. McKernan: petition of S. S. Robinson and 241 others, of Houghton county, asking the remission of certain over-

paid State taxes in Houghton county, for the years 1861 and 1862; also, that the specific tax paid by the mining companies be appropriated for building roads and bridges;

Referred to the committee on mines and minerals.

By Mr. Abbott: petition of F. W. Clark, praying that the laws of this State be so altered as to exempt justices of the peace from military draft, and setting forth his reasons for the same;

Referred to the committee on State affairs.

By Mr. McKernan: petition of the board of supervisors of Houghton county, asking the remission of overpaid State taxes for the years 1861 and 1862; also, that the specific tax paid by the mining companies be appropriated to the Ontonagon and Houghton county State road; also, giving authority to expend certain swamp land money belonging to L'Anse Bay and State line State road;

Referred to the committee on mines and minerals.

By Mr. Gargett: petition of H. H. Smith and 206 others, asking for a State road to be laid out from the Agricultural College via. Elsie, to the north line of town 10 north, of range 1 west, and an appropriation of swamp lands for the construction of the same;

Also, petition of J. N. Adams and 26 others, for the same;

Also, petition of J. D. Sickles and 74 others, for the same;

Also, petition of Thomas B. Lamb and 18 others, for the same;

All of which were referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend the act for the protection of game,

Would respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with an amendment thereto, and recommend that the same do pass as amended, and ask to be discharged from the further consideration of the same.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The judiciary committee, to whom was referred

A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.;

Respectfully report that they have had the same under consideration, and direct their chairman to report the same to the House, without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

S. TITUS PARSONS, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petitions of Andrew J. Blackbird and A. Porter, for a law which shall give to said petitioner, Blackbird, a title to certain lands now held by Alexander T. Chiokan, and also transfer to said Chiokan the title to certain lands now held by said petitioner, Blackbird,

Respectfully report that they have had the same under consideration, and are of the opinion that the prayer thereof should not be granted; that the fraud and mistakes disclosed in the petitions, present a case clearly cognizable and relievable by a court of equity, but entirely beyond the constitutional powers of the legislative department of the government, and that the petitioners have leave to withdraw their petitions, and the committee ask to be discharged from the further consideration thereof.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioner granted leave to withdraw his petition.

By the committee on the judiciary: •

The committee on the judiciary, to whom was referred

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of the taxes of said township,

Respectfully report that they have had the same under consideration, and have proposed an amendment thereto, which is herewith submitted, and recommend that, when so amended, the bill do pass, and ask to be discharged from the further consideration of the same.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary: ,

The committee on the judiciary to whom was referred

A bill to amend section thirty-seven hundred and eighty-six, chapter one hundred and seventeen, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed their chairman to report the same to the House without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

S. TITUS PARSONS, *Chairman.*

Report accepted and committed discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

By the select committee to negotiate for the purchase of Farmer's map of Michigan:

The undersigned, select committee to negotiate for the purchase of Farmer's map of the State of Michigan, for the use of the members and officers of this House,

Respectfully reports that he has purchased said maps, at forty cents each, and that the same are now ready for delivery.

W. T. HOWELL, *Committee.*

Report accepted and committee discharged.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rankin offered the following:

Resolved, That when any bills shall be ordered printed by this House, the name of the member or committee who introduced the same, shall be printed on the bill;

Which was adopted.

Mr. Betts gave notice that on some future day he would ask leave to introduce

A bill to revise an act entitled an act for the re-organization of the military forces of the State of Michigan, approved Jan. 18, 1862.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and to improve the same, approved March 13, 1861.

Mr. Cobb gave notice that on some future day he would ask leave to introduce

A bill to refund money paid for bounties to volunteers.

Mr. Erskine offered the following:

Resolved, That all motions, resolutions and notices, introduced into this House from and after to-day, shall have a government revenue stamp attached thereto, the proceeds of the same to be applied towards furnishing standing committees with stationery.

Which was not adopted.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement;

Also,

A bill to amend an act entitled an act to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June 8, 1856, approved February 14th, 1857, which amended act was approved February 12th, 1861.

Mr. Fifield gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, act No. 156, of the session laws of 1851, being an act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers.

Mr. Winsor offered the following:

Resolved, (the Senate concurring,) That the State printer shall be instructed to give to the daily journal the title of the "Daily Legislative Journal," instead of the "Daily State Republican;"

Laid on the table for one day, under the rules.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to amend act number two, session laws of 1861, being an act to provide for the relief by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State.

Mr. Thomas gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, of an act for the encouragement of agriculture, manufactures, and the mechanical arts, being section numbered 1687 of the compiled laws.

Mr. T. G. Smith offered the following:

Resolved, That the committee on printing be instructed to

take measures for procuring the translation of the Governor's message into the German, French and Holland languages, in order to carry out a resolution adopted by this House on the 8th inst., ordering the same printed, and that the committee report thereon to this House;

Which was adopted.

Mr. Burt offered the following:

Resolved, That the name of Rev. Mr. Meyer be added to the list of those invited to act as Chaplains of this House;

Which was adopted.

Mr. Read gave notice that on some future day he would ask leave to introduce

A bill to refund bounty money paid volunteers.

Mr. Hemingway offered the following:

Whereas, M. M. Ham, the reporter of the Detroit *Free Press* in this House, has made a report, which was published in said paper of January 11, 1863, in the following words:

"Mr. Hemingway introduced a resolution in the House to amend the constitution, striking out the word 'white,' thus making our fundamental law agree with the late decision of Attorney General Bates. Such was the wording of the resolution, but Mr. Hemingway protests that such was not his intention, the word 'white' being omitted by mistake. His object being to exclude those aliens who claim exemption from the draft, and still vote. I give both the fact and the explanation. The object of the resolution is to give negroes the right of elective franchise, and, in this respect, places them on an equality with white citizens."

And whereas, The said Ham well knew the said report was false;

And whereas, The said Ham knew that the said resolution was corrected by the mover, as soon as attention was called to the same, by inserting the word "white."

And whereas, The said Ham is affected by a direful malady known as "nigger on the brain," which so affects his intellect,

that he imagines that everything which does not contain the word white, means "negro;"

And whereas, The said Ham has been so long afflicted with said malady, that the same has become chronic and hopelessly incurable;

And whereas, The said malady has all the appearance of contagion;

And whereas, The said Ham has been guilty of uttering sentiments disloyal to the government of the United States, and favorable to the government of that arch-traitor, Jeff. Davis, in the Hall of this House; therefore,

Resolved, That the said M. M. Ham be expelled from the bar of this House;

On motion of Mr. E. G. Morton,

The resolution was laid on the table.

Mr. G. A. Smith offered the following:

Resolved, That the committee on supplies be authorized and instructed to furnish a set of post-office scales, or other scales that would be suitable for weighing public documents, for the use of the members of this House;

Which was adopted.

Mr. Slafter gave notice that on some future day he would ask leave to introduce

A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2d, 1850.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill for the better security of mechanics and others erecting buildings, and performing other mechanical work.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to repeal chapter 122, of the revised statutes of 1846;

and the amendments thereto, and provide for the collection of demands against water craft.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 5850, chapter 164, of the compiled laws, in relation to the limitation of actions relating to real property.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced:

A bill to provide for the assessment and collection of taxes in the town of Teymouth, in the county of Saginaw, for the year 1862.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Griswold, previous notice having been given, and leave being granted, introduced

A bill to authorize the register of deeds of the county of Kent, to record plats of any city or village, or any additions thereto, in said county, under certain circumstances, and to declare the effects of such record.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Jenison, previous notice having been given, and leave being granted, introduced

A bill to legalize certain volunteer family relief orders, issued in the county of Clinton.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the com-

piled laws, and to authorize the salary of judges of probate, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Toll, previous notice having been given, and leave being granted, introduced

A bill to amend an act to organize the county of Bleeker, approved March 15, 1861, and to change the name thereof.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1, 2, 3, 4, 90, 91 and 92, of an act entitled an act for the re-organization of the military forces of the State of Michigan, the same being act number 16, of the extra session of 1862, approved January 18, 1862.

The bill was read a first and second time by its title, and referred to the committee on the militia.

Mr. E. G. Morton, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Toll, previous notice having been given, and leave being granted, introduced

A bill to authorize the county of Bleeker to build a bridge across the Menominee river, and to donate a quantity of land to aid in the construction thereof.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend section 3, of chapter 157, of the compiled laws, in relation to the foreclosure of mortgages by advertisement.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Swezey gave notice that on some future day he would ask leave to introduce

A bill to provide for the limitation of costs in certain actions in justices courts.

UNFINISHED BUSINESS.

Being the consideration of the following resolution:

Resolved, (the Senate concurring,) That the committee on printing be requested to prepare and cause to be published, with all possible dispatch, for the use of the two Houses, of this and the next Legislature, a Manual, containing the rules of each House, joint rules, constitutions of the United States and State of Michigan, and such other matter as is usually contained in such work, or that they may deem proper;

Mr. Pratt moved to amend the resolution by striking out the words "constitutions of the United States and State of Michigan;"

Which motion did not prevail.

The resolution was then adopted.

Mr. E. G. Morton moved to take from the table the following resolution:

Resolved, by the House of Representatives, (the Senate concurring,) That the military authorities of this State be, and they are hereby instructed to call upon the clerks of the several counties, for a full and complete list of all the volunteers who have enlisted from their respective counties, in the service of the government, since the commencement of the present war, at any place in the State, and in any of the Michigan regiments, with the view of crediting each county every volunteer who was a resident of the county at the time of enlisting, and that they delay a draft in this State until such returns are made by the county clerks, and ample justice is done to each and every county;

Which motion prevailed.

On motion of Mr. Howell,

The resolution was referred to the committee on militia.

On motion of Mr. Read,

The House adjourned until to-morrow morning at 10 o'clock.

Lansing, Wednesday, January 14, 1863.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Heagle.

Roll called: quorum present.

Absent at roll call, Mr. Donaldson.

~~PETITIONS PRESENTED.~~

By Mr. Cook: petition and memorial of the township board, and others, of the township of Sheridan, Calhoun county, asking the Legislature to legalize the proceedings of a special township meeting, held in said town, on the 13th day of December 1862, for the purpose of raising money to pay bounties to volunteers to fill the quota of said township;

Referred to the committee on banks and incorporations.

By Mr. Pratt: remonstrance of Theron Soule and 89 others, citizens of the township of Sheridan, in the county of Calhoun, against the assessment of a tax for paying bounties to volunteers;

Referred to the committee on banks and incorporations.

By Mr. Barnes: resolutions of the board of supervisors of Ingham county, on the subject of citizens' bounties to volunteers;

Referred to the committee on banks and incorporations.

By Mr. Aldrich: resolution of the board of supervisors of Cass county, relative to the fees of probate judge;

Referred to the committee on the judiciary.

By Mr. Cowan: petition of the board of supervisors of Eaton county, for the repeal of the Jackson and Michigan plank road company's charter;

Referred to the committee on banks and incorporations.

By Mr. Buckley: petition of William Mapes and 28 others, citizens of Battle Creek, asking that a general law may be passed authorizing townships, cities and wards, or either of them, to collect by tax, whatever bounties may have been raised by subscription in the respective towns, cities and wards, to raise volunteers to meet the future calls of the government, and also to raise the last quota to avoid the draft;

Referred to the committee on banks and incorporations.

By Mr. Pendill: petition of Andrew McIver and 22 others, for an act to extend a ferry across the Menominee river;

Referred to the committee on roads and bridges.

By Mr. Cook: petition and memorial of the township board of the township of Eckford, Calhoun county, asking the Legislature to legalize the proceedings of a special township meeting, held in said town on the 18th day of December, 1862, for the purpose of raising money to pay bounties to volunteers, to fill the quota of said township;

Referred to the committee on banks and incorporations.

By Mr. Haze: petition of A. D. Simpson, G. M. Trowbridge, D. C. Toms and others, praying that a specified street in the village of Birmingham be cancelled, by striking it from the village plat;

Referred to the committee on towns and counties.

By Mr. Haze: Memorial of the State Board of Education;

Mr. Haze moved that the memorial be ordered printed in the journal;

Mr. Barnes moved that 150 copies be ordered printed in document form, for the use of this House;

Which motion prevailed.

The memorial was referred to the committee on education.

By Mr. Mallory: petition of Charles Andrews and 49 others, asking the passage of a law legalizing the action of the township of Armada, in the county of Macomb, in voting a tax to pay volunteers;

Referred to the committee on banks and incorporations.

By Mr. Wilson: petition of certain citizens of the township

of Almont, in relation to a tax voted by such township for the purpose of raising volunteers, and asking the Legislature to legalize the same;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on printing:

The committee on printing, to whom was referred the following resolution, viz.:

Resolved, That there be ordered printed for the use of this House, to be equally distributed among the members and officers, the following documents: Auditor General's Report, 2,000 copies; State Treasurer's Report, 2,000 copies; Commissioner of State Land Office Report, 2,000 copies; Reform School Report, 1,000 copies; Adjutant General's Report, (one half for the use of the army,) 7,000 copies; Quartermaster General's Report, (one-half for the use of the army,) 4,000 copies; Sault St. Marie Canal Report, 500 copies,

Would respectfully report that they have had the same under consideration, and I am instructed to offer the following as a substitute therefor, and recommend that it be adopted:

Resolved, That there be ordered printed for the use of this House, to be equally distributed among the members and officers thereof, the following documents: Auditor General's Report, State Treasurer's Report, Commissioner of State Land Office Report, Reform School Report, and Quartermaster General's Report, of each, 500 copies; of the Report of the Superintendent of Sault Ste. Marie Canal, 200 copies; also, that there be printed 4,000 copies of the Report of the Adjutant General; 500 for the use of the House, and the remainder to be placed at the disposal of the Adjutant General, with instructions to place one copy in the hands of each commissioned officer in the military service from the State of Michigan.

Respectfully submitted.

F. H. RANKIN, *Chairman*.

Report accepted and committee discharged;

On motion of Mr. Hewell,

The substitute offered by the committee for the original resolution was adopted.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 872 of the compiled laws,

Respectfully report that they have had the same under consideration, and have instructed their chairman to report the said bill back to the House, without amendment, with the recommendation that it do pass, and ask to be discharged from the further consideration thereof.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged;

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A joint resolution asking a grant of land from the general government to make a wagon road from Copper Harbor, in Michigan, to Appleton, in Wisconsin,

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it do pass, and asked to be discharged.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of the compiled laws of the State of Michigan.

Respectfully report that they have had the same under consideration, and return the said bill to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

S. TITUS PARSONS, Chairman.

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary to whom was referred:

A bill to amend section forty-five hundred and eighty-one of the compiled laws,

Respectfully report that they have had the same under consideration, and return the same to the House with the recommendation that it do pass, and ask to be discharged from the further consideration thereof.

S. TITUS PARSONS, Chairman.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred:

A bill to legalize certain volunteer family relief orders in the county of Clinton,

Would respectfully report that they have had the same under consideration, and return the same to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

JAMES A. SWEEZEY, Chairman.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors, to whom was referred:

A bill to amend section 4 of an act entitled an act to provide

for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black river, in said township,

Respectfully report that they have had the same under consideration, and have instructed their chairman to report the same back to the House, with an amendment thereto, in which they ask the concurrence of the House, with the recommendation that the same do pass, as amended, and ask to be discharged from the further consideration of the same.

GEO. THOMAS, *Chairman*.

Report accepted and committee discharged:

On motion of Mr. Dow,

The House concurred in the amendments made by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the resolution of the board of supervisors of the county of Sanilac, in favor of a State family relief law,

Respectfully report that they have had the same under consideration, and by request of the honorable member who introduced it, report the same back, with the recommendation that he have leave to withdraw the resolution.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and leave granted to withdraw the resolution.

By the committee on ways and means:

The committee on ways and means, to whom was referred House bill No. 2, being

A bill to provide for the assessment and collection of taxes in the township of Teymouth, in the county of Saginaw, for the year 1862,

Have had the same under consideration, and instructed me

to report the same back, with an amendment, in which they ask the concurrence of the House, and when so amended, recommend that the same do pass.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

Mr. Gaylord moved that the rule requiring the third reading of bills to be on a day subsequent to that on which they are reported from a committee, be suspended, and the bill put on its final passage;

Which motion did not prevail.

Mr. Gaylord moved that the bill be placed on the order of third reading;

Which motion prevailed,

By the committee on ways and means:

The committee on ways and means have had under consideration so much of the Governor's message as relates to providing a contingent fund of \$10,000, for the purpose of aiding the Michigan soldiers who may be sick, wounded or disabled, while in the service of the United States, by means of temporary loans, to send them home when able, and to insure proper care and attention to their wants whilst in camp or hospital, and have instructed me to report a bill in accordance with the recommendation of the Governor, entitled

A bill for the relief of sick, disabled and needy soldiers,

Recommend the passage of the same, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means report herewith a bill, entitled

A bill to provide for the payment of the members and officers of the Legislature for the year 1863,

Recommend the passage thereof, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of the board of supervisors of the county of Mecosta, asking that their acts in paying bounties to volunteers be legalized, would respectfully report that they have had the same under consideration, and have instructed me to report the accompanying bill, entitled

A bill to legalize the action of the board of supervisors of the county of Mecosta, in paying bounties to volunteers,

And recommend that the same do pass, and ask to be discharged from the further consideration thereof.

JAS. A. SWEEZEY, *Chairman*.

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of J. S. Nevins and 65 others, asking for an appropriation of six sections of swamp lands for the drainage of the same, would respectfully report that according to act number 107, of the session laws of 1861, two hundred thousand acres of swamp lands were appropriated to be expended in draining and reclaiming the same, and the same were placed under the

control of the Swamp Land Board. An application therefor to that Board would, in the opinion of your committee, be the proper place to apply; for this reason the committee have instructed me to report against granting the prayer of the petitioners, and recommend that they have leave to withdraw said petition.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on federal relations:

The committee on federal relations, to whom was referred so much of the Governor's message as relates to the state of the Union, have instructed me to report the accompanying preamble and joint resolution, entitled

Joint resolution on the state of the Union,

Recommend the passage thereof, and ask to be discharged from the further consideration of the subject.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,
Lansing, January 12, 1863. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, (the House concurring,) That the committees on printing of the Senate and House of Representatives, be authorized to act as a joint committee, and be instructed to prepare and cause to be published, for the use of the Senate and House of Representatives of this and the next Legislature, a Manual,

containing the rules of the Senate and House of Representatives, joint rules, Constitutions of the United States and this State, a diagram of the Senate Chamber and Hall of the House of Representatives, with marginal notes, and such other matter as is usually incorporated in such a work;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

W. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Howell,

The House concurred in the adoption of the resolution.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to amend section 327 of the compiled laws, being section No. 3, of chapter 10 thereof, relative to the powers of boards of supervisors.

Mr. Thayer gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of an act entitled an act granting swamp lands to the county of Genesee, to aid in cutting drains through certain swamps in said county.

Mr. J. C. Miller offered the following:

Resolved, That the Senators from this State are hereby instructed, and the Representatives are requested to vote for all questions pertaining to the conduct of the war, that come before their respective Houses;

On motion of Mr. Howell,

The resolution was referred to the committee on federal relations.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill to build and endow an institution of learning in the Upper Peninsula of Michigan.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill to amend section six hundred and forty-two, of the compiled laws, so that physicians may be included with those that are exempted from the draft.

Mr. Fowle gave notice that on some future day he would ask leave to introduce

A bill authorizing townships at their annual spring election, to adopt such rules and regulations for the destruction of Canada thistles, and other noxious weeds, as they may deem proper.

Mr. Pratt gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the trial of offences upon information, approved February 12, 1859.

Mr Fowle offered the following:

Resolved, That the Attorney General be, and is hereby requested to notify the prosecuting attorneys of the several counties of this State, to suppress the circulation, and restrain the further issue of small bills, commonly known as shinplasters;

Which was adopted.

Mr. Sherman, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax rolls of the townships of Ontonagon county, for the year 1862, and to extend the time for the collection of said taxes.

The bill was read a first and second time by its title, and,

On motion of Mr. Sherman,

Placed on the order of third reading.

Mr. Sherman moved that the committee of the whole be discharged from the further consideration of House bill No. 1, being

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D, 1862, and to extend the time for the collection of the taxes of said township;

Which motion prevailed.

On motion of Mr. Sherman,

The bill was placed on the order of third reading.

Mr. Fellows gave notice on some future day he would ask leave to introduce

A bill to provide for the expenditure and use of surplus funds now accumulated and accumulating in many townships of the State from the two mill tax, and to authorize school districts having any such surplus funds accumulated, to use the same for the erection and improvement of the school buildings in such school districts.

Mr. Griswold, previous notice having been given, and leave being granted, introduced

A bill to repeal section 2, of act No. 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Pratt, previous notice having been given, and leave being granted, introduced

A bill for the assessment and collection of a specific tax on dogs.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to allow the Lafayette Benevolent Association, of the city of Detroit, to alter and amend its articles of association.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr Lockwood, unanimous consent being given, introduced

Joint resolution to encourage the erection of a telegraph line from Owosso to the State Capital.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Littlejohn, previous notice having been given, and leave being granted, introduced

A bill to reduce the price of school lands in the townships of Heath and Clyde, in the county of Allegan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend section 4159 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mallory, previous notice having been given, and leave being granted, introduced

A bill to repeal an act entitled an act for the encouragement of agriculture, manufactures and the mechanic arts, approved March 16, 1849.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

Joint resolution providing for an amendment to section 18, article 6 of the Constitution, relative to the jurisdiction of justices of the peace in civil cases.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Cobb, previous notice having been given, and leave being granted, introduced

A bill to refund bounties paid to volunteers.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Barnes, previous notice having been given, and leave being granted, introduced

A bill to amend the law of this State, fixing the compensation of township treasurers;

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Slafter, previous notice having been given, and leave being granted, introduced

A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section fifteen, chapter one hundred and fifty-one, of the revised statutes, the same being section fifty-six hundred and fifty-one, chapter one hundred and seventy-five, of the compiled laws, in relation to fees of justices of the peace in civil cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate.

Mr. Pendill gave notice that on some future day he would ask leave to introduce

A bill to authorize Andrew McIver to extend his grant for a ferry from the State of Wisconsin, across the Menominee river, to the Michigan shore.

Mr. Gaylord moved that the rules be suspended, and that House bill, entitled

A bill to provide for the assessment and collection of taxes in the township of Taymouth, in the county of Saginaw, for the year 1862,

Be placed upon its final passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Fowle,	Mr. Piper,
Aldrich,	Freeman,	Porter,
Allen,	Gargett,	Pratt,
Barnes,	Gaylord,	Rankin,
Beakes,	Green,	Raymond,
Bentley,	Grinnell,	Read,
Betts,	Griswold,	Sherman,
Bliss,	Grosebeck,	Slafter,
Bowen,	• Harmon,	Spencer,
Buckley,	H. A. Hayden,	Sprague,
Buell,	Henry Hayden,	G. A. Smith,
Burt,	Haze,	T. G. Smith,
Chapoton,	Hemingway,	Aura Smith,
Clark,	Hodgkinson,	Abram Smith,
Cobb,	Hood,	Stewart,
Combs,	Howard,	Swezey,
Congdon,	Howell,	Thomas,
Cook,	Jenison,	Tinham,
Cowan,	Keeney,	Toll,
Crane,	Littlejohn,	Voorhies,
Crego,	Lockwood,	Warner,
Davis,	Luther,	Welch,
Deare,	Mallory,	Weatherby,
Denman,	Mason,	Wheeler,
Dixon,	McKernan,	White,
Dockeray,	McMartin,	Williams,
Dow,	J. C. Miller,	Wilson,
Eldridge,	John Miller,	Winans,
Erskine,	E. G. Morton,	Winsor,
Fellows,	H. C. Morton,	Woodman,
Fifield,	Mosher,	Woodworth,
Fitch,	Parsons,	Speaker.

96

NAYS.

0

Title agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. McKernan moved that the rule be suspended, and that House bill No. 1, entitled

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of the taxes of said township,

Be placed upon its final passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapaton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. O. Morton,
Mosher,
Parsons,
Pendill,
Piper,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Abram Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinharn,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker.

NAYS.

Mr. Allen,

1

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Sherman moved that the rule be suspended, and that House bill entitled

A bill to legalize the tax rolls of the townships of Ontonagon county, for the year 1862, and to extend the time for the collection of said taxes,

Be placed upon its final passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
McMartin,
J. C. Miller,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Tinham,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,

Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,

John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,

Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker.

95

NAYS.

9

Title agreed to.

On motion of Mr. Sherman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. E. G. Morton offered the following:

Resolved, That the committee on the judiciary be instructed to inquire into the necessity of increasing justices' fees in civil and criminal cases;

Which was adopted.

Mr. Eldridge gave notice that on some future day he would ask leave to introduce

A bill to amend section 11, of chapter 175, of the compiled laws, being section 5347.

Mr. Davis moved that the joint resolution reported by the committee on federal relations, entitled

Joint resolution on the state of the Union,

Be printed in full upon the journal;

Which motion prevailed.

The following is the joint resolution:

JOINT RESOLUTION on the state of the Union.

Whereas, The present rebellion threatens the peace and perpetuity of the Union of the States, and requires the united efforts of all patriotic and loyal citizens to sustain the Administration, to restore a permanent and honorable peace to the whole country; therefore

Resolved, (the Senate concurring,) That we will sustain the National Administration with all the means in our power, in all its efforts to quell the present rebellion, and restore peace to the Union;

Resolved, That we unreservedly approve the Proclamation of

the President of the United States, issued on the first day of January, one thousand eight hundred and sixty-three, abolishing slavery in the insurgent States and districts of the Union, believing it to be a measure demanded by the necessities of war, as well as by the soundest dictates of humanity;

Resolved, That we are unalterably opposed to any terms of compromise or accommodation with the rebels, while under arms, and acting in hostility to the Government of the Union, and on this we express but one sentiment—unconditional submission, and obedience to the laws and Constitution of the Union;

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and joint resolutions to each of our Senators and Representatives in Congress, and to the Governors of the several loyal States.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 111 of the compiled laws.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

Resolved, (the Senate concurring,) That the State printer shall be instructed to give to the daily journal the title of the "Daily Legislative Journal," instead of the "Daily State Republican;"

Mr. Hemingway moved that the resolution be laid on the table;

Which motion prevailed.

GENERAL ORDER.

On motion of Mr. Wilson,

The House went into committee of the whole on the general order,

Mr. Read in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

House bill No. 2, entitled

A bill to amend an act entitled an act for the protection of game in the State of Michigan, approved February fourteenth, eighteen hundred and fifty-nine;

House bill No 3, entitled

A bill to amend section thirty-seven hundred and eighty-six, chapter one hundred and seventeen of the compiled laws;

In the consideration of which the committee have made some progress, and ask leave to sit again.

The committee have also had under consideration,

House bill No. 4, entitled

A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

G. E. READ, *Chairman.*

Report accepted.

Leave was granted the committee to sit again on the two first named bills.

On motion of Mr. Winans,

The amendments made by the committee to the last named bill were concurred in, *in gross*.

The bill was then ordered engrossed for a third reading.

On motion of Mr. Howell,

The House adjourned until to-morrow morning at 10 o'clock.

Lansing, Thursday, January 15, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent at roll call, Mr. Donaldson.

PRESENTATION OF PETITIONS.

By Mr. Howell: petition of Conrad House, Henry N. Carpenter, and 90 others, inhabitants of the townships of Pierson and Winfield, Mecosta county, asking that townships 11 and 12 north, of ranges 9 and 10 west, be permanently attached to Newaygo county;

Referred to the committee on towns and counties.

By Mr. Hemingway: petition of A. Porter and 26 others, citizens of Metamora, in the county of Lapeer, asking for a re-survey and location of the territorial road through section 16, in said town;

Referred to the committee on roads and bridges.

By Mr. Erskine: petition of William Jordon and 113 others, praying for a State road through town 14 north, ranges 11, 12, 13 and 14 east, and an appropriation of swamp land to construct the same;

Referred to the committee on public lands.

By Mr. Erskine: petition of Alexander McRae and 14 others, citizens of the town of Austin, praying to have certain acts of school district No. 1, in said town, legalized;

Referred to the committee on education.

By Mr. Lockwood: petition of G. & C. Merriam, to be paid the amount remaining due them from the State, for dictionaries furnished to common schools, in 1858;

Referred to the committee on ways and means.

By Mr. Gaylord: petition of the board of supervisors of Saginaw county, relative to sundry amendments to the tax law;

Referred to the committee on ways and means.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3, of chapter 157, of the compiled laws, in relation to foreclosure of mortgages by advertisement,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement, being chapter 130, of revised statutes of 1846,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the Register of Deeds of the county of Kent to record plats of any city or village, or any additions thereto, in said county, under certain circumstances, and to declare the effects of such record,

Respectfully report that they have had the same under consideration, and have directed me to report the same to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crego,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4159 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted, and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary to whom was referred

A bill to amend section fifteen, chapter one hundred and fifty, of the revised statutes, the same being section fifty-six hundred and fifty-one, chapter one hundred and seventy-five, of the compiled laws, in relation to the fees of justices of the peace in civil cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to legalize and authorize the issuing of certain county bonds by the county of St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, together with the accompanying bill, entitled

A bill to legalize and authorize the issuing of certain county bonds by the county of St. Clair,

As a substitute for the same, and recommend that the bill so substituted do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute presented by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

A bill to amend the law of this State, fixing the compensation of township treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the memorial of the German American Seminary, asking an amendment to the act granting 25,000 acres of swamp lands, have had the same under consideration, and instructed me to report thereon:

In the winter of 1861, said Seminary received from the city of Detroit, a lease for ninety nine years, of a certain piece of land, formerly held by the city for the use of the city water-works, but abandoned for that purpose, the reservoir having

been erected on another site. Said lease was on condition, that within five years from the date thereof said Seminary should make improvements on the lot, to the amount of twenty thousand dollars.

At the session of the Legislature of 1861, act 175 was passed, granting to said Seminary 25,000 acres of swamp lands, to be selected by the agent of the Seminary, in tracts of not less than 320 acres of each, for the purpose of aiding in the erection of buildings on said lot.

The Seminary, by their agent, proceeded to select the lands in accordance with the requirements of the law, but were prevented from taking possession of the lot by the water commissioners of Detroit, who claim title to the same, notwithstanding the lease from the city council, and in defiance thereto.

Abandoning further effort in relation to said lot, the Seminary has recently procured the conveyance to the corporation thereof, in fee simple, free from incumbrance, of a lot on Lafayette street, in Detroit, of sufficient size for the location of college buildings, large enough for the purposes contemplated by the trustees, on which is a building owned by the corporation of the Seminary, three stories high, new, substantially and elegantly built, of brick, and large enough to accommodate 300 or more scholars. The school is now in operation, with competent professors, and a good number of scholars.

The design of the trustees is to make the Seminary a classical academy, wherein the arts and sciences shall be taught, in the German and other modern European languages, to all those who desire it, and in the English language to all. They desire and design to erect, at the earliest practicable time, more extensive buildings, to accommodate classes, and for chemical, philosophical and museum rooms. They design to use the avails of the lands for the erection of such additional rooms and apartments.

They ask that the law making the grant may be so amended as to allow them to dispose of the lands, and apply the proceeds for that purpose; and inasmuch as the title to the lot

now occupied by them is fully vested in the Seminary, free from all incumbrances, that all restrictions embarrassing the title be taken off, so that the lands may be disposed of immediately to settlers, and the income arising from the sale be at once available for the purpose contemplated in the original grant.

The committee are satisfied that in all they have done in the premises, the trustees of the Seminary have acted in good faith, and that their object is a worthy one; and further, that they will in a short time dispose of the lands to German colonists, who will, as all such colonies have heretofore done, improve them and make valuable additions to our new settlements.

Inasmuch as the lot now owned and occupied by the Seminary is free from incumbrance, the committee do not deem it important to embarrass the sale of the lands by any reservations that could encumber the title, but to guard against any possible misapplication of the funds arising therefrom, they have added a provision to the act requiring the trustees to file a bond with the State, with security to the amount of twenty-five thousand dollars, for the faithful application of the funds to the purpose contemplated in the grant.

In accordance with these views the committee have instructed me to report a bill, so amending the law as to accomplish the objects desired by the Seminary, entitled

A bill to amend act No. 175, of session laws of 1861, to grant 25,000 acres of State swamp land to the German American Seminary of the city of Detroit,

Recommend its passage, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SPECIAL COMMITTEES.

The committee to whom was referred the petition of the supervisor and board of school inspectors of the township of Athens, Calhoun county, and a remonstrance against the prayer of the petitioners,

Respectfully report that the petitioners ask that a certain school district tax, which they allege to be invalid, be declared null and void, by this Legislature. In the opinion of your committee, the question raised by the petition is purely judicial, and not one requiring or admitting of the action or interference of the Legislature. They therefore recommend that the prayer of the petitioners be not granted, and that the petitioners have leave to withdraw their petition.

ISAAC C. ABBOTT,

Chairman of Special Committee.

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 15, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, By the Senate, (the House concurring,) That the committee on the part of the Senate, and also on the part of the House, whose duties are to examine into and report to their respective Houses the conditions and wants of the different Asylums, State Prison, etc., be considered as joint committees, and as such be authorized to visit (at some future and convenient day) those institutions, in order that they may properly report,

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Deare,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 15, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to re-transmit the following concurrent resolution:

Resolved, By the Senate, (the House concurring,) That of each bill and joint resolution ordered printed, 800 copies be furnished for the use of the members of the Legislature,

Which the House amended by striking out "300," and inserting in lieu thereof "500,"

And to inform the House that the Senate does not concur in said amendment.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Deare,

The House receded from its amendment to the resolution.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell, by unanimous consent, presented a communication from the ladies of the Methodist Episcopal church of Lansing.

On motion of Mr. Deare,

The communication was ordered printed in the journal.

The following is the communication:

The ladies of the Methodist Episcopal Church of Lansing, holding a festival in the Hall of the House of Representatives, on the 14th day of January, 1863, unanimously adopted the fol-

lowing resolution, with a request that it be presented to the House:

Resolved, That the thanks of the Ladies of the Methodist Episcopal Church of Lansing, are due to, and are hereby tendered, to the members of the Legislature, for their courtesy and kindness in granting the use of their Halls to the Society, for the purpose of holding a festival to aid in furnishing their church edifice, in Lansing.

Mr. Deare offered the following:

Resolved, (the Senate concurring,) That our Senators in Congress be instructed, and our Representatives in Congress be requested, to use all their influence to obtain the speedy payment of all Michigan troops, in the field and in the hospital;

Laid on the table for one day, under the rules.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to authorize the commissioners of highways of the township of Metamora, in the county of Lapeer, to re-survey and locate the territorial road across section 16, in said township.

Mr. Luther gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road, running from Lamont to Zeeland, in Ottawa county, and ask an appropriation of the non-resident highway tax, one and-a-half miles each side of said road, for five years.

Mr. Aldrich gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the Farmers' Mutual Fire Insurance Association of Berrien county.

Mr. Woodworth gave notice that on some future day he would ask leave to introduce

A bill authorizing the board of supervisors of the county of Ingham, to restore the distinction between county and township poor.

1863.]

HOUSE OF REPRESENTATIVES



Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill providing for the collection of State and county taxes in the city of Detroit;

Also,

A bill relating to the admission of attorneys and counsellors at law and solicitors in chancery, and to repeal certain sections of the compiled laws, in relation thereto;

Also,

A bill to carry into effect the provisions of the recent amendment to the constitution, in relation to the election of Regents of the University.

Mr. Luther gave notice that on some future day he would ask leave to introduce

A bill to detach Allegan county from the ninth judicial district, and attach the same to the fifth.

Mr. Williams gave notice that on some future day he would ask leave to introduce

A bill for improving the navigation of the Paw Paw river.

Mr. Wilson gave notice that on some future day he would ask leave to introduce

A bill accepting a grant of lands for the benefit of agriculture and the mechanic arts, in accordance with the provisions of an act granting the same.

Mr. Winsor gave notice that on some future day he would ask leave to introduce

A bill to provide for the re-assessment of certain unpaid taxes in the township of Huron, Huron county, on the assessment to be made in 1863 and 1864.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to relieve school district number one, in the township of Austin, county of Sanilac.

Mr. Betts offered the following:

Resolved, That the committee on agriculture and manufactures be requested to report to the House, at as early a day as

possible, a bill accepting the donation of public lands made by Congress to the "States which may provide colleges for the benefit of agriculture and mechanic arts;" also to provide for the location and disposition of the same;

Which was adopted.

Mr. Wilson offered the following:

Resolved, That the Commissioner of the State Land Office be requested to furnish, for the use of this House, 1st, the amount of lands granted to this State since its first organization; 2d, the amount of lands appropriated, and the purposes for which such appropriations were made, and also whether they were made in accordance with the several acts granting the same; 3d, the amount of the several grants remaining unappropriated; 4th, the amount of lands granted for which no patents have been received;

Which was adopted.

Mr. Howell moved to discharge the committee of the whole from the further consideration of House bill No. 6, entitled

A bill to legalize the action of the board of supervisors of Mecosta county, in paying bounties to the volunteers in the military service of the United States;

Which motion prevailed.

Mr. Howell moved that the bill be placed on the order of third reading;

Which motion prevailed.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to amend section 1680, of the compiled laws, being section one of an act to incorporate the Michigan State Agricultural Society, approved March 31, 1849.

Mr. Keeney gave notice that on some future day he would ask leave to introduce

A bill to amend section two, chapter forty, the same being section 1438 of the compiled laws, providing for the election of superintendents of the poor.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to amend section 337 of the compiled laws, the same being section 3, chapter 10, thereof.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pratt, unanimous consent being given, introduced

Joint resolution for amendments to the constitution;

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 4, entitled

A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapman,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hase,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeley,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slater,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aure Smith,
Stewart,
Sweeney,
Thayer,
Tinham,
Toll,
Voornice,
Warner,
Welch,
Weatherby,
Wheeler,
White,

Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,

McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. O. Morten,
Mosher,
Parsons,
Pendill,

Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

95

NAYS.

9

Title agreed to.

House bill No. 6, entitled

A bill to legalize the action of the board of supervisors of Mecosta county, in paying bounties to the volunteers in the military service of the United States,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Luther,
Mallory,
Mason,
McKernan,
McMartin,
J. O. Miller,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
White,
Williams,
Winsor,

Fellows,
Fifield,
Fitch,

John Miller,
E. G. Morton,
H. C. Morton,

Woodworth,
Speaker.

86

NAYS.

Mr. Congdon,
Crego,
Denman,
Lockwood,

Mr. Rankin,
Sherman,
Sprague,
Warner,

Mr. Wheeler,
Wilson,
Winans,
Woodman, 12

Mr. Pratt moved to reconsider the vote by which the bill was passed;

Mr. Crego demanded the yeas and nays;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Congdon,
Crego,
Denman,
Hemingway,

Mr. Keeney,
Lockwood,
Mason,
Pratt,

Mr. Rankin,
Abram Smith,
Wheeler,
Woodman,

18

NAYS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Littlejohn,
Luther,
Mallory,
McKernan,
McMartin,
J. C. Miller,

Mr. Piper,
Porter,
Raymond,
Reed,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
White,
Williams,
Wilson,
Winans,

Erskine,
Fellows,
Fifield,
Fitch,

John Miller,
H. O. Morton,
Mosher,
Parsons,

Winsor,
Woodworth,
Speaker.

86

The title of the bill was then agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Bliss,

The House went into committee of the whole on the general order,

Mr. Crego in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 8, entitled

A bill to amend section thirty-seven, hundred and eighty-six, chapter one hundred and seventeen, of the compiled laws,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and ask to be discharged from the further consideration thereof.

RICHARD J. CREGO, Chairman.

Report accepted.

Mr. Mason moved to lay the bill on the table;

Which motion did not prevail.

Mr. Winans moved that the bill be placed on the order of third reading;

Which motion prevailed.

On motion of Mr. Read,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Friday, January 16, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Heagle.

Roll called: quorum present.

Absent at roll call, Mr. Warner.

Mr. Lockwood asked and obtained leave of absence for Mr. Warner, for two days.

Mr. Beakes asked and obtained leave of absence for himself until Wednesday next, from and after to-day.

Mr. Lockwood asked and obtained leave of absence for himself until Tuesday next, from and after to-day.

Mr. Sherman asked and obtained leave of absence for himself for two days, from and after to-day.

PRESENTATION OF PETITIONS.

By Mr. Donaldson: petition of N. L. Miller and 20 others, to legalize the special township meeting of the township of Addison, to raise a bounty fund, and authorize the township board to issue bonds, and borrow the money;

Referred to the committee on banks and incorporations.

By Mr. Bliss: resolutions of the board of supervisors of Saginaw county, relative to refunding bounties paid volunteers;

Referred to the committee on banks and incorporations.

By Mr. Read: petition of Henry R. Sherman and 40 others, citizens of Kalamazoo county, asking for an appropriation of swamp lands for the benefit of certain colleges in this State;

Referred to the committee on public lands.

By Mr. ~~Warner~~: petition of Stephen Greenman and 45 others, to amend act No. 130, session laws of 1859, relative to the Bridgeport and Forestville State road;

Referred to the committee on roads and bridges.

By Mr. Abram Smith: petition of D. G. Jones, Rev. J. W. Donaldson, John Kohn, A. P. Steward and 73 others, citizens of St. Clair county, praying that a portion of the swamp lands be

appropriated to the incorporated colleges of this State, for educational purposes;

Referred to the committee on public lands.

By Mr. Parsons: petition of T. W. Warren, E. L. Moore, C. S. Converse, P. S. Lyman and 16 others, of Corunna, Shiawassee county, for an appropriation of swamp lands for the support of certain colleges;

Referred to the committee on public lands.

By Mr. Williams: petition of Charles P. Sweet and 46 others, citizens of Van Buren county, praying for donations of swamp lands for certain colleges and academies therein set forth;

Referred to the committee on public lands.

By Mr. Aura Smith: petition of the board of supervisors of Branch county, asking the repeal of act No. 287, of the laws of 1861;

Referred to the committee on the judiciary.

By Mr. Lockwood: petition of certain citizens of Wayne county, for a grant of swamp lands in aid of colleges at Kalamazoo, Olivet, Albion, Hillsdale and Adrian;

Referred to the committee on public lands.

By Mr. Dow: resolution of the board of supervisors of Eaton county, for the passage of a law taxing dogs;

Referred to the committee on agriculture and manufactures.

By Mr. White: resolution of the board of supervisors, asking for an amendment of the dog law, to regulate the keeping, killing and taxing of dogs, by the several boards of supervisors;

Referred to the committee on agriculture and manufactures.

By Mr. Barnes: petition of Hiram C. Hodge, claiming the seat occupied by the Hon. Chandler Freeman;

On motion of Mr. Howell,

The petition was referred to the committee on elections, and ordered printed in the journal.

The following is the petition:

To the Honorable the House of Representatives of the State of Michigan :

The undersigned petitioner respectfully begs leave to represent that he is a resident of Clinton county, in said State of Michigan; that at the last general election held in said State, your petitioner was, as he verily believes, duly and legally elected Representative to the State Legislature, from the Second Representative District of Clinton county, as will appear from the record of the board of canvassers of said Representative District. Your petitioner would represent that Chandler Freeman, Esq., was the opposing candidate for Representative in said District, and that the vote, as will appear of record in the clerk's office of said county, as canvassed by the board of canvassers of said Representative District, is as follows, viz:

For Representative in the State Legislature for the Second District, Clinton county, Hiram C. Hodge received 598 votes.

For Representative in the State Legislature for the Second District, Clinton county, Chandler Freeman received 291 votes

For Representative in the State Legislature Hiram C. Hodge received 38 votes and Chandler Freeman received 121 votes.

For State Representative Chandler Freeman received 288 votes.

From the foregoing it appears that your petitioner received a large majority of the votes cast for Representative in the State Legislature for the Second District of Clinton county, the only legal designation known to the statutes of the State of Michigan. Your petitioner therefore, asks that an investigation be had by your honorable body, and if the facts appear as stated, that your petitioner be admitted a member of this House, duly and legally elected by the voters of said Second Representative District in Clinton county, in the place of Chandler Freeman, the present sitting member.

HIRAM C. HODGE.

January 10, 1863.

Reference is made to certain certified papers now on file in this House, and accompanying this petition.

HIRAM C. HODGE.

REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to amend an act to organize the county of Bleeker, approved March 15th, 1861, and to change the name thereof,

Respectfully report that they have had the same under consideration, and herewith report a substitute for said bill, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of F. W. Clark, praying that the laws of this State be so amended as to exempt justices of the peace from military draft, and setting forth his reasons for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the prayer of the petitioner be not granted, and that he have leave to withdraw his petition, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioner granted leave to withdraw his petition.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to repeal an act entitled an act for the encouragement

of agriculture, manufactures and the mechanic arts, approved March 16, 1849,

Would respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred several petitions of the citizens of Houghton and Ontonagon counties, praying for a remission of the specific taxes in the Upper Peninsula, to aid in the construction of roads and bridges, have taken the matter into serious consideration, and after having thoroughly examined the subject in all its varied aspects, are profoundly impressed that the period has at length arrived when duty imperatively demands that this Legislature should do that justice to the inhabitants of the Upper Peninsula, to which they are so clearly entitled, and which has been so long and persistently denied them. The history of the Upper Peninsula, from its first settlement to the present time, exhibits a spectacle of unmerited wrong and injustice, which can hardly find a parallel in modern times. Just demands for just rights, and prayer after prayer, for that protection and fostering legislation which has been so bountifully lavished upon other portions of this State, have been year after year coldly denied them, without consideration, by the people of the Lower Peninsula and their representatives. Shall this course of injustice and wrong be continued, and a portion of the State, which is destined to add more to its wealth and power than all the rest combined, thus be left to struggle against an adverse destiny, without the least sympathy and encouragement from those who are so largely its debtors, and upon whom common

justice and the laws of the land give it a clear and imperative claim for aid and protection?

Your committee, impressed with the hope that a brief statement of the prominent facts in relation to the past history of the Upper Peninsula, will have the effect of awakening the sympathy, and arousing a sense of justice in the minds of this legislative body, respectfully present the following facts and statistics, from which it will clearly appear how utterly the Upper Peninsula has been cut off from all participation in the benefits arising from that fostering legislation, both of the Federal and State Governments, which has been enjoyed by all the other north-western States and Territories.

Your committee find that, until the year eighteen hundred and thirty-six, the Upper Peninsula formed an integral part of Wisconsin, at which time it was set off from Wisconsin, and made a dependency upon the State of Michigan. At this time, Wisconsin had not as yet received her allowance, either of lands or money, from the Federal Government, and, of course, the Upper Peninsula had not and could not have obtained any aid or benefit from that source.

On the other hand Michigan, at the time the Upper Peninsula was set off from Wisconsin, had not only received her full allowance from the Federal Government, both in lands and money, but had expended the whole sum for roads, bridges and other improvements in the Lower Peninsula, so that there was not a cent left to be laid out for the benefit of the Upper Peninsula, which has thus, between the two, deprived us of all participation in the bounties flowing from the Federal Government, either to Wisconsin or Michigan. Your committee find that up to the year 1850, there had been sold 125,966 78-100 acres of primary school lands, for \$715,486 57-100, the interest of which was annually distributed in the Lower Peninsula, without the Upper Peninsula having received one cent of it; and also, up to the same date there was sold 20,683 34-100 acres of University lands, for \$248,679 08-100, the interest of all of which was

likewise disposed of for the exclusive benefit of the Lower Peninsula.

Your committee further find, that the amount of money expended by the Federal Government for roads and other improvements in the Lower Peninsula, amounted to the sum of \$645,724 13-100, whilst at the same time the Upper Peninsula received nothing.

Your committee also find, that all the internal improvement lands, to the amount of over seven hundred thousand acres, were taken and distributed among the counties of the Lower Peninsula, without allowing the Upper Peninsula one acre.

Your committee call attention to the following tabular statement in reference to this branch of the subject:

APPROPRIATION OF INTERNAL IMPROVEMENT LANDS.

Date.		Acres.
1843.	St. Joseph River,.....	5,000
"	Clinton and Kal. Canal,.....	16,000
"	Central Railroad,.....	150,000
1844.	Flint River,.....	5,000
"	Central Railroad,.....	64,000
"	Clinton and Kal. Canal,.....	2,000
"	St. Joseph River,.....	10,000
"	Bridge of Grand River, at Grand Rapids,....	6,000
1845.	Palmyra and Jackson Railroad,.....	10,000
"	Clinton and Kal. Canal,.....	17,250
"	Central Railroad,.....	20,000
1846.	Central Railroad,.....	20,000
"	Southern Railroad,.....	1,500
"	Bridge Cass River,.....	3,000
"	Bridge Grand River, at Lyons,.....	2,000
1847.	Grand Rapids Canal,.....	25,000
"	St. Joseph River,.....	7,000
"	Clinton and Kal. Canal,.....	5,000
1848.	Holland Colony,.....	7,000
"	Bridge Muskegon River,.....	8,000.
"	Bridge Flint River,.....	5,000

Date.		Acres.
1848.	Clinton River,.....	2,500
"	Detroit and Grand River Road,.....	10,000
"	Detroit and Saginaw Road,.....	2,000
"	Paw Paw River,.....	10,000
"	Paw Paw River,.....	10,000
"	Barry, Eaton and Allegan Roads,.....	4,000
"	Hastings and Battle Creek,.....	2,000
"	Corunna and Bad River,.....	7,000
"	River Raisin,.....	5,000
"	Battle Creek, Bellevue and Charlotte Road,...	5,000
"	Livingston and Genesee Roads,.....	3,000
"	Road from St. Joseph to La Grange,.....	3,000
"	Bridge and Causeway at Grand Haven,.....	4,000
"	Kalamazoo River,.....	4,000
"	Roads in Saginaw and Tuscola,...	3,000
"	Detroit and Grand River Road,.....	7,000
"	St. Clair and Almont Road,.....	7,500
"	Road in Kalamazoo Co.,.....	2,000
"	Pontiac and Grand River,.....	4,000
"	Roads in Clinton Co.,.....	6,000
"	Roads and bridge in Ingham Co.,.....	5,000
"	Eaton Rapids and Michigan Road,.....	3,000
"	Roads in St. Joseph and Cass Co.,.....	7,000
"	Bridge Kalamazoo River,.....	2,000
"	Jackson and Michigan Road,.....	10,000
"	North Wagon Road,.....	20,000
"	Roads in Branch Co.,.....	5,000
"	Roads in Hillsdale,.....	5,000
"	Roads in Livingston and St. Clair,.....	3,000
"	Roads in Albion and Eaton Rapids,.....	2,000
"	Monroe and Dexter Road,.....	3,000
"	Roads in Lenawee,.....	5,000
"	Bridge in Pontiac,.....	1,000
"	Drawbridge over River Rouge,.....	1,000
"	Road Holland Colony,.....	5,000
"	Road in Kent Co.,.....	3,000
"	Road in Ottawa Co.,.....	2,000
Total,		555,815

*Statement of Moneys expended by the General Government for
Improvements in the State of Michigan.*

For constructing pier at La Plaisance Bay, Mich.,	\$ 19,608 00
Improving harbor mouth of river Raisin, Mich.,	110,000 00
Improving harbor, St. Joseph, Mich.,.....	131,118 00
Road from Detroit to Fort Gratiot,.....	48,000 00
Road from Detroit to Grand River,.....	58,500 00
Road from Detroit to Chicago,.....	87,000 00
Road from Detroit to Saginaw,.....	60,000 00
Road from Sheldon's, on the Chicago Road, to St. Joseph river, Mich.,.....	20,000 00
Road from Niles to mouth of St. Joseph river,...	10,000 00
Road from Clinton to the rapids of Grand river,..	8,000 00
Road from La Plaisance Bay to the Chicago Road,	40,608 00
Road from Port Lawrence to Adrian,.....	10,000 00
Road from Vistula to Indiana State line,.....	10,000 00
Road from the northwestern boundary of Ohio to Detroit,.....	20,000 00
Road to connect the Detroit and River Raisin, with the Maumee and Sandusky roads,.....	12,000 00
Road from Detroit to Maumee,.....	5,900 00
Total,.....	<u>\$645,724 00</u>

Thus it is clearly shown that the Lower Peninsula has received the sole benefit of all the expenditures and appropriations made by the General Government, while the Upper Peninsula, set off from Wisconsin, where she might in time have received her fair proportion of such appropriations as were afterwards made to Wisconsin, has been entirely excluded from all participation in the appropriations and allowances made to Michigan—the Lower Peninsula having applied the same to her sole and exclusive use and benefit. Comment upon these facts is unnecessary—the injustice done to the Upper Peninsula is too clear and palpable. Nor does the story of our wrongs yet cease. Not content with leaving the Upper Peninsula thus to

struggle alone against an adverse destiny, without sympathy or encouragement from any quarter, we have been called upon to pay heavy taxes for the support of those who have been the innocent cause of this injustice.

It is a fact, that before a single pound of copper was raised, there was put upon the statute books sixteen acts, taxing *prospectively* what we might raise.

All writers upon political economy, and all statesmen agree in affirming the principle that it is not only the duty of Governments, but also their highest wisdom, to encourage the development of the natural resources of the State, by a course of legislation, which, by stimulating industry, tends to enhance the natural products of the soil, whether agricultural or mineral.

Such a course, while it encourages emigration, and attracts capital from abroad, also adds to the wealth of the State, and the prosperity of its citizens. What, then, shall be said of the utter folly and injustice which taxes industry prospectively, and levies tribute upon productions not yet obtained, thus paralyzing the efforts and enterprise of labor, and discouraging the investment of capital. Yet such has been the course pursued towards the Upper Peninsula. We have actually paid thousands upon thousands of dollars upon *prospective* wealth, *which we failed to realize*.

From the year 1845 to 1853, (at which time the general mining law was passed, taxing the companies one dollar per ton,) all companies were not only taxed upon the amount of their capital stock paid in, but were also required to pay a tax of one per cent. upon all moneys borrowed. Many of the companies paid a tax upon at least half a million of dollars, for years, without deriving any benefit from their charters, the mines not as yet being made productive.

Compelled continually to borrow money in order to continue the work upon their locations, the poorer and more indebted they became, the more heavy became their tax; thus presenting the singular, nay, almost ridiculous, spectacle of a State levying a tax upon debts, instead of property—upon poverty, in

place of wealth—a policy without parallel in its folly and injustice. Your committee are pleased to find that a different policy has been pursued in relation to mineral productions in other parts of the State. By the session laws of 1860 and 1862, it will be seen that not only was a liberal bounty given to those engaged in the manufacture of salt, but also all their property, both real and personal, employed in such business, was exempt from taxation. This is as it should be. It is a policy dictated by both prudence and wisdom, and in accordance with the soundest principles of political economy. But why this distinction, so wide and palpable, between the Upper and Lower Peninsulas? Are we to be excluded from all fellowship in the benefits of the government and institutions under which we live? Must we alone be forced to pay tribute, and treated like a conquered people, rather than as fellow citizens, bound together by the sacred ties of blood and kindred, and equal members of the same commonwealth? If we are to be excluded from all the benefits of government, then in common justice, release us also from its burdens.

So keenly have the people of the Upper Peninsula felt the wrong and injustice done them in this, and in fact in all particulars, that for three separate times have they come before the Legislature of this State, by petition, almost unanimously signed by the citizens of the Upper Peninsula, praying that they might be released from all political connection with the Lower Peninsula, and be set off as an independent territory, in order that they might thus receive that aid, encouragement and support that has been granted to other territories. But you have refused to let us go, and still do refuse, and thus far have refused to do anything to put us upon an equality with the counties of the Lower Peninsula. Geographically we have no real connection with you.

Isolated by the laws of nature, we do not belong to you. We derive no benefits from you.

The Upper Peninsular has not as yet cost this State a single cent. She has paid taxes for your benefit, the amount of which

overbalances by one hundred fold, all you have ever expended on our account. You are largely our debtor. In fact, all that the Lower Peninsula has ever returned to us for our benefit, is the salary of the District Judge—\$1,000 per annum; the salary of the District Attorney—\$800 per annum—and the pay of our Representatives.

Our very position deprives us of all participation in the enjoyment of your schools, Universities, Asylums, and other public institutions. For seven months in the year we have to traverse the three separate States of Wisconsin, Illinois and Indiana, in order to reach the Lower Peninsula at all; and yet we are heavily taxed to support these same institutions, which are for your exclusive benefit. If you are thus determined to retain us, let it not be solely for the ignoble and tyrannical purpose of taxing and oppressing us. Rather let justice and equity prevail. Foster our industry, and thus add to your own wealth. Admit us to a fair participation in the benefits of the Government, and thus increase your own peace and prosperity. Treat us as fellow-citizens and equals, and not as colonial dependents and inferiors. We ask no more—no less.

Your committee further find that the industry of the Upper Peninsula is heavily taxed upon a large tract of land, (some 352,000 or 358,000 acres,) all of which lies in the Lower Peninsula.

This will be rendered plain by a reference to joint resolution No. 13, laws of 1861, by which it appears that the taxes remitted to the St. Mary's Canal company, are to be reimbursed to the several counties where the companys' lands are situated, out of the tolls collected upon said canal; all of which, in the shape of freight, falls upon the consumers, and thus is, in effect, a heavy tax upon the industry of the Upper Peninsula, for the exclusive benefit of counties located in the Lower Peninsula. Your committee fully believe that not only a sense of justice will induce you to give us our rights, but your own self-interest will plead in our behalf. By a reference to statistics, it will be discovered that we make a home market for the products of the

Lower Peninsula, of some *five millions of dollars per annum*. While we buy everything of you, you buy next to nothing of us. The copper which we raise, all goes to the eastern markets. Thus this home market which we have created for you, is also for your exclusive benefit, for which you give us nothing in return, but the luxury of paying taxes. Your committee call attention to the following statement of articles purchased by the Upper Peninsula during the year 1861, compiled from statistics furnished by the Detroit Board of Trade, and other sources:

Articles.	Total.
Tons of ground feed,.....	1,711½
Tons of powder,.....	325½
Flour (bbls.).....	22,743
Wheat, (bu.)	228
Coarse grain, (bu.,).....	76,880
Beef, (bbls.).....	1,951
Pork, (bbls.).....	2,814
Bacon, (bbls.)	680
Lard, (bbls.).....	819
Butter, (lbs.).....	217,712
Cheese, (lbs.).....	59,014
Tallow, (lbs.).....	14,560
Candles, (lbs.).....	99,116
Soap, (box and barrels,).....	1,926
Apples, (bbls.).....	3,111
Dried fruit, (lbs.).....	44,295
Sugar, (lbs.).....	282,890
Coffee, (bags,)	608
Tea, (chests,).....	755
Vegetables, (bu.).....	14,479
Salt, (bbls.).....	3,014
Vinegar, (bbls.).....	261
Tobacco, (lbs.).....	49,441
Coal, (tons,).....	11,507
Nails, (kegs,).....	4,200

Articles.	Total.
Merchandise, (tons,)	4,766½
Lime, (bbls.,)	2,057
Lumber, (M.,)	894½
Shingles, (M.,)	16
Lath, (M.,)	1,840
Window Glass,	438
Hay, (tons,)	637½
Horses and Mules,	185
Cattle, (heads,)	2,660
Sheep, (heads,)	1,109
Hogs,	927
Bricks, (M.,)	927
Furniture, (pcs.,)	432
Hides,	6,967
Furs and pelts, (bdls.,)	1,428
Machinery, (tons,)	1,244
Engines and boilers,	478½
Wagons and buggies,	11
Fish, (bbls.,)	87
Liquor, (bbls.,)	1,149½
Malt, (bbls.,)	7,142
Ale and beer, (bbls.,)	32,022
Eggs, (bbls.,)	4,968
Feed, (bags,)	670
Iron bars,	4,513
Iron, (bund.,)	1,841
Leather, (rolls,)	393
Oats, (bu.,)	84
Oil, (bbls.,)	40,805
Potatoes, (bags,)	496
Peas, (bu.,)	8,608
Seeds, (pkgs.,)	227
.....	125

This trade, for the year last past, will exceed the figures above given for the year 1861, by at least twenty-five per cent.

and is steadily increasing. It is a home market for your products, to which you are solely indebted to the Upper Peninsula, and everything is bought and paid for at your docks, without any extra expense, for insurance, commissions, &c.

It will at once be apparent that the continuance and increase of this trade, depends upon the permanent and increased prosperity of the Upper Peninsula; in other words, of the ability of the consumers to pay, and their increased numbers and wants.

The Upper Peninsula, engaged almost exclusively in mining enterprises, must remain for years dependent upon the Lower Peninsula for supplies, and it remains for you to determine whether by fostering the industry of the Upper Peninsula, and thus increasing its wealth and population, you will increase her trade with you; or whether, by a continued system of oppression, taxation and unjust legislation, you paralyze our enterprise and cripple our resources, thus directly impoverishing yourselves, by diminishing or destroying our trade.

Your committee have thus briefly alluded to the past history and present condition of the Upper Peninsula, for the purpose of showing how unjustly its inhabitants have heretofore been treated, and how completely and systematically all their interests have been ignored. They would now call your attention more immediately to the specific measure referred to them.

It is not proposed nor desired to stop the specific tax of one dollar per ton, now levied upon the products of the mines, or to change in any particular the laws or mode of taxation. All that is desired is that the money arising from such specific tax, be remitted to the respective counties wherein it is raised, to be used for the benefit of such counties, by expending the same therein, for building roads, bridges, and making such other internal improvements as may be deemed necessary for the public benefit. And this we ask for the period of *five years* only.

Your committee would call attention to the following considerations, bearing directly upon the matter at issue:

The companies which are taxed by a specific tax, constitute

a large portion of the wealth, and own a large part of the real estate of the Upper Peninsula; and consequently the other taxes fall proportionately heavier, nay, almost exclusively, upon private individuals, not connected with or belonging to mining associations, while, at the same time, the dividends of the companies go to the east, and do not enrich us. It is for this reason that we desire that the specific tax be remitted to us, in order that our burden may be lightened, and we thus enabled to make such public improvements in the several counties as are so much needed.

Your committee are confident that you will see the great necessity of making such improvements, when you remember that the counties of the Upper Peninsula are separated from each other by from *sixty to one hundred and twenty miles of dense wilderness*, in a mountainous country. Our worst and most impassable swamps are upon the mountains, and that, too, in localities where roads must needs run, in order to accommodate the mining interests. There is, as yet, no connection between the counties sufficient to admit of the passage of a horse during the summer months. So isolated are the various points from each other, that Judge Goodwin, (our able district judge,) has been compelled to adjourn his Court for weeks, until the elements would permit the passage of a boat around the lake shores, thus being compelled to travel in some instances, a distance of two hundred miles, in order to reach a point some sixty miles distant, had there been a road admitting of a passage over-land.

Your committee earnestly hope that the proposed measure will become a law. In their opinion it is not only a just and proper request on the part of the inhabitants of the Upper Peninsula, but will, while it greatly benefits them, also tend largely to increase the wealth and prosperity of the whole State. As in the human body, so with bodies politic, if one member is deprived of its proper nourishment and protection, the whole body suffers likewise. So by oppressively taxing, and unjustly neglecting the interest of one portion of the State,

you impoverish and retard the prosperity of all the other portions. On the other hand, by fostering the industry, encouraging the enterprise, and developing the resources of the Upper Peninsula, the Lower Peninsula will share in the benefit, and the wealth and prosperity of the whole State be largely increased. Locked in the rocky bosom of the Upper Peninsula lies hidden untold wealth, which will one day make Michigan more opulent than California.

The day is not far distant when civilization and population must penetrate, explore and subdue the whole of that territory.

Prosperous and commercial cities will yet border the shores of that vast inland sea, Lake Superior, and this State rank as the most wealthy and powerful in the Union.

But before this can be, the country must be penetrated and explored; roads must scale the heights and traverse the valleys; bridges must span the mountain torrents, and the means of secure and rapid transportation and travel be obtained. Will you then be so blind to your own interests; so unmindful of our necessities and claims, as to refuse to extend to us a helping hand, and by the passage of this measure inaugurate a more liberal and enlightened policy towards the Upper Peninsula? Learn wisdom, and take warning from the past; let not the future be marked by that unjust and blind—that “penny wise and pound foolish” policy, which has disgraced the legislation of former years.

“Do not understand us as asking alms or craving that which is not morally and justly our own.” We only ask that which is our right, and which is equally for your benefit and ours.

“The hardy pioneers of the Upper Peninsula, who have encountered and overthrown obstacle after obstacle, and broken down barrier after barrier, are your brothers—your sons; they, too, are of the Lower Peninsula. They are delving deep through the rocky beds of mother earth, disemboweling and upheaving her mineral wealth, to enrich you, and aggrandize the State.”

In conclusion, your committee would respectfully recommend that the specific tax now levied upon the mineral products and corporations of the Upper Peninsula, be remitted to the respective counties in which it is raised, to be expended in such counties in building roads and bridges, and making such other public and internal improvements as may be needed, and that the same be remitted for a period of five years; and herewith report a bill for that purpose, entitled

A bill to remit the specific tax upon mining, manufacturing, smelting and other companies, of the Upper Peninsula, to the counties in which they arise, for the period of five years, and to provide for the application of the same;

And recommend the passage thereof.

Respectfully submitted.

ABNER SHERMAN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Howell,

Two thousand extra copies of the report were ordered printed for the use of the House.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A joint resolution to encourage the erection of a telegraph line from Owosso to the State Capital,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, recommending that the substitute be adopted, and that the same do pass, and ask to be discharged from the farther consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred the petition of Lemon Chapel, John V. Clements and eleven others, for the repeal of section 2, of act No. 106, of the session laws of 1840, and also a bill, entitled

A bill to repeal section 2, of act number 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that said bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of Andrew McIvor and 28 others, for an act to extend a ferry across the Menominee river, to Blecker county, would respectfully beg leave to report, that in their opinion, the existing laws confer sufficient authority on the board of supervisors of the county of Blecker to meet the wants of petitioners in the case referred to. Your committee, therefore, report the same back to the House, without further action, and ask to be discharged from its further consideration, and the said petitioners have leave to withdraw the same.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

. Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section fifty-three hundred and fifty, chapter one hundred and sixty-four, of the compiled laws, in relation to the limitation of actions relating to real property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the memorial of the board of supervisors of the county of Wayne, asking an amendment to the volunteer family relief

act, so as to extend the time for borrowing money, and that the said board be invested with power to create a sinking fund; also, relative to making the same a general State law,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Deare,

The memorial was referred to the committee on State affairs.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to allow the Lafayette Benevolent Association, of the city of Detroit, to alter and amend its articles of association,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

A joint resolution, asking our Senators and Representatives in Congress to use their influence to obtain a furlough of sixty days for the Seventh Michigan Regiment of Infantry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the farther consideration of the subject.

W. T. HOWELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The rule was suspended, and the joint resolution put upon its final passage.

The joint resolution was read a third time, and pending the passage thereof,

Mr. E. G. Morton moved to lay the joint resolution on the table;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Beakes,
Combes,
Congdon,
Deare,
Erskine,
Fifield,
Green,

Mr. Harmon,
H. A. Hayden,
Howard,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,

Mr. Mason,
E. G. Morton,
Pendill,
Read,
Tinham,
Winans,
Winsor,

23

NAYS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapeton,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Grinnell,
Griswold,
Grosebeck,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,

Mr. Rankin,
Raymond,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezy,

Clark,
Cobb,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fitch,

Hood,
Howell,
Jenison,
McKernan,
McMartin,
J. C. Miller,
John Miller,
H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,
Pratt,

Thayer,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker,

78

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

- YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Donaldson,
Dow,
Eldridge,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,
J. C. Miller,
John Miller,
H. C. Morton,

Mr. Pendill,
Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Abram Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
• Woodman,

Fellows,
Fifield,
Fitch,

Mosher,
Parsons,
'

Woodworth,
Speaker.

91

NAYS.

Mr. Deare,
Erskine,
Mason,

Mr. E. G. Morton,
Sherman,

Mr. Tinham,
Winsor,

7

Title and preamble agreed to.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2d, 1850,

Have had the same under consideration, and to which they have made an amendment, in which they ask the concurrence of the House, and when so amended, recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The House concurred in the amendments made by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 16, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved, By the Senate, (the House concurring,) That the per diem of the firemen of the Senate, and also of the House, shall be two dollars and fifty cents, and that the per diem of the messenger boys shall be one dollar and fifty cents, during the present session,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

W. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Howell,

The resolution was referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 2, entitled

Joint resolution on the state of the Union;

Which motion prevailed.

On motion of Mr. Howell,

The joint resolution was made the special order for Thursday next.

Mr. E. G. Morton offered the following:

RESOLUTIONS on the state of the Union.

Whereas, A large portion of the citizens of this country, North and South, forgetting the enlarged national patriotism, and repudiating the teachings and warnings of the Fathers of the Republic, have been led, by appeals to local and sectional prejudice, to the avowal of sentiments, and the organization of parties, sectional in their character and tendency, and calculated to array one portion of the Union against the other, by which the people have become alienated in feeling;

And whereas, This sectionalism has produced the aggravated feeling in the public mind which has brought upon the country the present deplorable war, involving all classes in its consequences, and calling upon all loyal citizens to sustain the government in every legitimate and constitutional effort to suppress the rebellion, and give peace to the country;

And whereas, We cannot hope for peace, unity and prosperity,

while harboring sentiments inimical to such peace, unity and prosperity, and which such sectional feeling and partizan organization produces; therefore

Resolved, by the House of Representatives, (the Senate concurring,) That this war, thus brought upon the nation, having its foundation in the sectional sentiments of partizan leaders to obtain political power, may be protracted to the mutual destruction of both sections, unless arrested by a return to the conciliating and patriotic views of the founders of the government, whose political philanthropy embraced the whole Union, with no North or South, East or West, but all the States, and all the sections of the country, without regard to local differences of opinion and institutions, it is our duty, divesting ourselves of the prejudices the errors of the past have created, to proclaim to our loyal brethren of the South, and their excited neighbors, deceived and misled into the support of the rebellion by their sectional leaders, that our great object, in a determined and vigorous prosecution of the war, is the restoration of the Union and the preservation of the constitution, with the rights of all the States under them as recognized by those who first organized the government;

Resolved, That, with this end in view, while we accept the present condition of affairs as they are, acknowledging our duty to sustain the government and our armies in the field, with patriotic devotion, under the constitution and the laws, and to oppose the division of the Union under any and all circumstances, and the destruction of the constitution under any pretext, it is the duty of each section to commence the great work of restoring the union by self reform, by inculcating sentiments of peace, unity and good will, without which, union is impossible, and by the repeal of all local or State laws hostile in spirit or purpose to the Union and constitution;

Resolved, That copies of the foregoing preamble and resolutions be forwarded to our Senators and Representatives in Congress, and to the Governors of the several States, as an expression of our readiness to regard the rights of the people of

all the States, as we recognize and regard our own, and our abhorrence of bloodshed between brethren of the same national family, to remedy real or imaginary evils, which can best be settled by compromise, and the councils of peace in the Union and under the constitution, for the preservation of which, with all the privileges they confer, the war is prosecuted by the loyal people of the country.

Laid on the table for one day, under the rules.

Mr. Lockwood, unanimous consent being given, introduced
A joint resolution on the state of the Union.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Howell,

Was ordered printed in the journal, and referred to the committee on federal relations.

The following is the joint resolution:

JOINT RESOLUTION on the state of the Union.

Resolved by the Senate and House of Representatives of the State of Michigan, That the present rebellion of the so-called Confederate States is without justifiable cause or plausible pretext, and that every loyal citizen is called upon by every motive that can influence the patriot and lover of free government, to make every needed sacrifice to compel rebels in arms to unconditional submission to the Constitution and the laws;

Resolved, That we are devoted to the Constitution and the Union, without condition or qualification; that we are in favor of an energetic prosecution of the war, by the use of all means consistent with the laws and usages of civilized nations, for the suppression of the present wicked rebellion, the restoration of the Union, and the preservation of the Constitution and Government of the United States, in all their former strength and purity; and if, as a consequence of such legitimate measures as the rebels have forced, or shall force the Government to use, the institution of slavery shall be swept from the States in rebellion, we shall rejoice that such good may come out of so much evil, and hope that the border slave States that have

remained loyal, may be so guided as speedily to free themselves from the trammels of an institution which we believe so detrimental to their true interests, and so abhorrent to the sentiments of a majority of the civilized world;

Resolved, That we have confidence in the integrity and patriotism of the President of the United States, and that we recognize that it is his duty to prescribe the mode and policy of carrying on the war, in accordance with the laws and Constitution of the land; and that whatever may be our individual opinions as to the policy and effectiveness of the recent proclamation of emancipation, believing that the President deemed it prudent and necessary as a war measure, we consider it justifiable as such; and we pledge ourselves and the State to an unfaltering support of the Government and our national rulers, in the exercise of all the powers given them, for the suppression of the rebellion.

Mr. Deare moved that the committee of the whole be discharged from the further consideration of House bill No. 10, being

A bill for the relief of sick, disabled and needy soldiers;

Which motion did not prevail.

Mr. Howell gave notice that on some future day he would ask leave to introduce

A bill to repeal joint resolution No. 13, approved March 11, 1861, entitled joint resolution appropriating the tolls of the St. Mary's Canal, to the payment of the amount due counties, for taxes assessed on canal lands.

Mr. Thayer gave notice that on some future day he would ask leave to introduce

A bill to amend sections 33, 39, and 59, of chapter 17 of the compiled laws, relative to the duty of supervisors and treasurers, in assessing and collecting taxes.

Mr. Davis moved that the committee of the whole be discharged from the further consideration of House bill No. 2, entitled

A bill to amend an act entitled an act for the protection

of game in the State of Michigan, approved February 14, 1859;

Which motion did not prevail.

Mr. Dixon gave notice that on some future day he would ask leave to introduce

A bill granting a pre-emption right to settlers upon such swamp lands as have not hitherto been brought into market.

Mr. Barnes offered the following:

Resolved, That the committee on elections, to whom the petition of Hiram C. Hodge, claiming the seat occupied by the Hon. Chandler Freeman, has been referred, have leave to send for persons and papers, and that the parties shall have leave to appear before said committee and this House, by counsel of their choice;

Which was adopted.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to amend section 116, of chapter 78, of the compiled laws, the same being section 2858 thereof, relative to the proceeds of fines and penalties;

Also,

A bill to abolish district libraries, and to provide for township libraries, and the maintenance thereof;

Also,

A bill to suspend, in the county of Wayne, for the period of two years from the first day of March next, act No. 216, of the session laws of 1861, being an act entitled an act to provide for the draining of swamps, marshes, and other low lands.

Mr. Pendill gave notice that on some future day he would ask leave to introduce

A bill to confer certain forfeited land rights and privileges, upon the Marquette and Ontonagon railroad company, incorporated January 2d, 1863, which were granted in the year 1857 to the Marquette and Ontonagon railway company, by an act disposing of certain grants of land made to the State of

Michigan for railroad purposes, by an act of Congress, approved, June 3, 1856, approved February 14, 1857.

Mr. H. C. Morton gave notice that on some future day he would ask leave to introduce

A bill to acquire the right of way for a ship canal at the mouth of St. Joseph river, in the county of Berrien.

Mr. McKernan moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 1, entitled

Joint resolution asking the government of the United States, to make a grant of land for the construction of a wagon road from Copper Harbor, in the State of Michigan, to the city of Appleton, in the State of Wisconsin;

Which motion did not prevail.

Mr. T. G. Smith offered the following:

Resolved, That the committee on supplies and expenditures be authorized and directed to furnish the committee on elections, with a room sufficiently commodious for the discharge of the duties imposed upon them by this House;

Which was adopted.

Mr. Betts, previous notice having been given, and leave being granted, introduced

A bill to amend certain sections of an act for the reorganization of the military forces of the State of Michigan, approved January 18, 1862.

The bill was read a first and second time by its title, and referred to the committee on militia.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for the election and classification of Regents of the University.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Cook, unanimous consent being given, introduced

A bill authorizing the township of Eekford, Calhoun county, to raise by tax, a military bounty fund.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill relating to the admission of attorneys and counsellors at law, and solicitors in chancery, and to repeal certain sections of the compiled laws relating thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to authorize the commissioners of highways of the town of Metamora, in the county of Lapeer, to re-survey and locate the territorial road across section 16, in said town.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill in relation to assignments, and to compel assignees to give security.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced

A bill to legalize the assessment of taxes in certain townships and counties in this State, assessed for the purpose of paying military bounties.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Griswold gave notice that on some future day he would ask leave to introduce

A joint resolution authorizing the State Treasurer to sell two thousand copies of the compiled laws in his charge, belonging to the State.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to amend sections ten, (10,) thirteen, (13,) nineteen,

(19,) and twenty-three, (28,) of chapter one hundred and three, (103,) of the compiled laws;

Also,

A bill to amend section 87 of an act entitled an act for the re-organization of the military forces of the State of Michigan, approved January 18, 1862;

Also,

A bill to amend section one (1) of an act entitled an act to provide for the appointment of circuit court commissioners, in cases of vacancy, approved February 2, 1855.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the improvement of the Bridgeport and Forestville State road, in the county of Sanilac.

Mr. Winsor gave notice that on some future day he would ask leave to introduce

A bill to repeal an act entitled an act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to amend chapter ten, of the compiled laws of 1857.

Mr. Bentley gave notice that on some future day he would ask leave to introduce

A bill to authorize Union School District No. 9, of the township of Grass Lake, in the county of Jackson, and State of Michigan, to issue bonds.

Mr. Deare offered the following:

Resolved, That when the House adjourn, to-day, it be till Monday morning.

Which was not adopted.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 3, entitled

A bill to amend section thirty-seven hundred and eighty-six, chapter one hundred and seventeen, of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Mason,

The bill was recommitted to the committee on the judiciary.

On motion of Mr. Deare,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Saturday, January 17, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Burgess.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Chapoton, H. A. Hayden, Luther, Mason and G. A. Smith.

Mr. Deare asked and obtained leave of absence for Mr. Chapoton, until Tuesday next.

Mr. Crego asked and obtained leave of absence for Mr. H. A. Hayden, until Tuesday next.

Mr. Howard asked and obtained leave of absence for Mr. Luther, for an indefinite time, on account of sickness.

Mr. Gaylord asked and obtained leave of absence for Mr. Mason, until Thursday next.

Mr. Green asked and obtained leave of absence for Mr. G. A. Smith, until Wednesday next.

PRESENTATION OF PETITIONS.

By Mr. Davis: petition of R. W. Morris and 21 others, citizens of Muskegon county, asking an amendment to the act entitled an act to authorize the formation of companies to construct canals or harbors, and to improve the same;

Referred to the committee on the judiciary.

By Mr. Bliss: petition of W. L. P. Little, C. T. Desbrough, and 150 others, citizens of Saginaw and Genesee counties, praying for a State road from Bridgeport to Flushing, and a grant of swamp lands on the same;

Referred to the committee on public lands.

By Mr. Bliss: petition of C. E. Gillett, E. B. Ward and others, asking for an act to change the name of the Carrollton salt manufacturing company;

Referred to the committee on salines.

By Mr. Dockeray: memorial of board of supervisors of Kent county, relative to salary of judge of probate;

Referred to the committee on the judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the election and classification of Regents of the University,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill in relation to assignments, and to compel assignees to give security,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed House bill No. 8, being

A bill to amend section 3717 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, together with a substitute therefor, and recommend that the substitute for said bill, which is herewith submitted, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and the committee discharged.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order;

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of the board of supervisors of Branch county, asking the repeal of act No. 237 of the session laws of 1861, entitled an act to regulate proceedings in certain cases of nuisance,

Respectfully report that they have had the same under consideration, and after a careful examination of the act aforesaid, are unable to agree with the petitioners in the necessity or propriety of such repeal, but entertaining the opinion that the act is wise in its provisions, affording ample protection to the public in the cases it is designed to reach, while the interest of mill owners, and of the public in their maintenance, is thereby justly secured and protected to an extent only consistent with the rights and interests of communities, and of the public at large, have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not complied with, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relating to the admission of attorneys and counsellors at law, and solicitors in chancery, and to repeal certain sections of the compiled laws, in relation thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing beg leave to report that, agreeably with the instructions of the House, by resolution, adopted on the 13th inst., they have designated William Kopp, editor of the Daily Michigan Journal, published at Detroit, to translate the Governor's message into the German and French languages, and superintend the printing of the number of copies ordered by the House; and have designated John Roost, editor of De Grondwet, published at Holland, in Ottawa county, to translate the same into the Holland language, and superintend the printing, both of whom are competent and ready to undertake the work.

And your committee would respectfully request the House to ratify their action, that the translation may be proceeded with at once.

F. H. RANKIN, *Chairman.*

Report accepted.

On motion of Mr. Hemingway,

The House concurred in the recommendations of the committee.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bill:

A bill to legalize the tax rolls of the townships of Ontonagon county, for the year 1862, and to extend the time for the collection of said taxes.

CHARLES BETTS, *Chairman.*

Report accepted.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 16, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to provide for the assessment and collection of taxes in the township of Taymouth, in the county of Saginaw, for the year 1862;

2. A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of the taxes of said township;

3. A bill to legalize the tax rolls of the townships of Ontonagon county, for the year 1862, and to extend the time for the collection of said taxes;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Woodworth offered the following:

Resolved, That the use of this Hall be tendered to the ladies of the Soldiers' Aid Society, of the city of Lansing, on Wednesday evening next, for the purpose of giving a festival, the proceeds of which are to be appropriated to the benefit of our sick and wounded soldiers.

The Speaker announced that the resolution could only be adopted by the unanimous consent of the House, in accordance with the provisions of a resolution previously adopted.

Mr. Howell objected to the adoption of the resolution.

Mr. J. C. Miller gave notice that on some future day he would ask leave to introduce

A bill to make it the duty of the clerk of each organized township, and of the wards of each city or village, to keep a record of all the births, marriages and deaths, that take place within their respective jurisdiction.

Mr. Cook, previous notice having been given, and leave being granted, introduced

A bill to amend section 10, of chapter 12, of the compiled laws, relative to the election of overseers of highways.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Erskine, previous notice having been given, and leave being granted, introduced

A bill to amend act number 130, session laws of 1859, entitled an act to provide for the improvement of the Bridgeport and Forestville State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend section 1 of an act entitled an act to provide for the appointment of circuit court commissioners in cases of

vacancy, approved February 2, 1855, being section 3998 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Bentley, previous notice having been given, and leave being granted, introduced

A bill to authorize union school district number 9, of the township of Grass Lake, in the county of Jackson, and State of Michigan, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Bart, previous notice having been given, and leave being granted, introduced

A bill to amend section 642 of the compiled laws, chapter 1, title militia.

The bill was read a first and second time by its title, and referred to the committee on militia.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend section 87 of an act entitled an act for the re-organization of the military forces of the State of Michigan, approved January 18, 1862.

The bill was read a first and second time by its title, and referred to the committee on militia.

Mr. Winsor, previous notice having been given, and leave being granted, introduced

A bill to repeal chapter 52 of the compiled laws, and all amendments to the same.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend sections ten, thirteen, nineteen, and twenty-three, of chapter one hundred and three, of the compiled laws, entitled of the sale of real estate on executions.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Griswold, previous notice having been given, and leave being granted, introduced

A joint resolution authorizing the State Treasurer to sell two thousand copies of the compiled laws in his charge, belonging to the State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Howell, previous notice having been given, and leave being granted, introduced

A bill to repeal joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A joint resolution to provide for the amendment of article 4, section 47, of the constitution of the State of Michigan.

Mr. Fifield gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 194, of the session laws of 1861, being an act to enlarge union school district No. 2, of Pontiac, in the county of Oakland.

Mr. McKernan moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 1, being

A joint resolution asking the government of the United States to make a grant of land for the construction of a wagon road from Copper Harbor, in the State of Michigan, to the city of Appleton, Wisconsin;

Which motion prevailed.

On motion of Mr. McKernan,

The rules were suspended, and the joint resolution put upon its final passage.

The joint resolution was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fitch,	Mr. Piper,
Aldrich,	Fowle,	Porter,
Allen,	Freeman,	Pratt,
Barnes,	Gargett,	Rankin,
Bentley,	Gaylord,	Raymond,
Betts,	Green,	Read,
Bliss,	Grinnell,	Sherman,
Bowen,	Griswold,	Slafter,
Buckley,	Grosebeck,	Spencer,
Buell,	Harmon,	Sprague,
Burt,	Henry Hayden,	T. G. Smith,
Clark,	Haze,	Abram Smith,
Cobb,	Hemingway,	Aura Smith,
Combs,	Hodgkinson,	Stewart,
Congdon,	Hood,	Swezey,
Cook,	Howard,	Thomas,
Cowan,	Howell,	Tinham,
Crane,	Jenison,	Toll,
Crego,	Keeney,	Voorhies,
Davis,	Littlejohn,	Welch,
Deare,	Mallory,	Weatherby,
Denman,	McKernan,	Wheeler,
Dixon,	McMartin,	White,
Dockeray,	J. C. Miller,	Williams,
Donaldson,	John Miller,	Wilson,
Dow,	E. G. Morton,	Winans,
Eldridge,	H. C. Morton,	Winsor,
Erskine,	Mosher,	Woodman,
Fellows,	Parsons,	Woodworth,
Fifield,	Pendill,	Speaker,

90

NAYS.

0

The question being upon agreeing to the title and preamble, Mr. Sherman moved to amend the title by inserting after the words "Copper Harbor," the words "running through or to town 40 north, range 37 west;"

Which motion prevailed.

The title and preamble, as amended, were then agreed to.

Mr. Jenison moved that the committee of the whole be dis-

charged from the further consideration of House bill No. 5, entitled

A bill to legalize certain family relief orders, in the county of Clinton, in this State;

Which motion prevailed.

On motion of Mr. Jenison,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Donaldson,
Daw,
Eldridge,
Erskine,
Fellows,
Fifield,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallory,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thomas,
Tingham,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

NAYS.

88

0

Title agreed to.

On motion of Mr. Jenison,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Barnes offered the following:

Resolved, That in adopting the resolution of this House, of the 12th inst., relative to granting the use of this Hall to societies, it was not intended to exclude persons who are engaged in the laudable purpose of ministering to the wants of our sick and wounded soldiers;

Which was adopted.

Mr. Deare offered the following:

Resolved, That the committee on judiciary be and are hereby requested to inquire into, and report to this House, as to the expediency of repealing act No. 125, of the session laws of 1861, relative to the competency of witnesses and examination of parties in certain cases;

Which was not adopted.

Mr. E. G. Morton moved that the following resolution, adopted on the 12th inst., be rescinded:

Resolved, That the use of the Hall of the House of Representatives shall not be granted to any society, or for any public entertainment or lecture, during the sessions of the Legislature, except lectures by State officers, relative to public institutions, unless by a unanimous vote of all the members present;

Which motion prevailed.

Mr. Howell offered the following as a substitute:

Resolved, That the members of this House pledge themselves to pay the Ladies' Soldiers' Aid Society, of Lansing, the sum of one dollar each.

The Speaker decided the resolution to be out of order.

Mr. Barnes offered the following:

Resolved, That the use of this Hall be granted to the Ladies' Soldiers' Aid Society, of Lansing, on Wednesday evening next.

Mr. Howell offered the following as a substitute for the resolution:

Resolved, That the members of this House pledge themselves to pay the Ladies' Soldiers' Aid Society, of Lansing, the sum of one dollar each.

Mr. Pratt moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Howard moved to strike out the word "one," in the substitute, and insert "five," in place thereof;

Which amendment was accepted.

The question recurring upon the adoption of the substitute, as amended,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the substitute was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Buckley,
Burt,
Clark,
Combs,
Cook,
Crego,
Davis,
Deare,

Mr. Dow,
Fellows,
Fowle,
Gargett,
Hodgkinson,
Hood,
Howard,
Howell,
Pendill,

Mr. Piper,
Raymond,
Sherman,
Spencer,
Sweezy,
Toll,
Welch,
Wheeler,
Winans,

27

NAYS.

Mr. Aldrich,
Allen,
Barnes,
Betts,
Bliss,
Bowen,
Buell,
Cobb,
Congdon,
Cowan,
Crane,
Denman,
Dixon,
Dockeray,
Donaldson,
Eldridge,
Erskine,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Haze,
Hemingway,
Jenison,
Keeney,
Littlejohn,
Mallory,
McKernan,
McMartin,
J. C. Miller,
E. G. Morton,

Mr. Pratt,
Rankin,
Read,
Slafter,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thomas,
Tinharn,
Voorhies,
Weatherby,
White,
Williams,
Wilson,
Winsor,

Field,
Fitch,
Freeman,

H. O. Merton,
Parsons,
Porter,

Woodworth,
Speaker,

59

The question being upon the adoption of the original resolution,

Mr. Howell moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

GENERAL ORDER.

On motion of Mr. Hemingway,

The House went into committee of the whole on the general order,

Mr. E. G. Morton the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the general order, in the consideration of which they have made some progress, but not having gone through therewith, ask leave to sit again.

E. G. MORTON, *Chairman.*

Report accepted, and leave granted the committee to sit again.

Mr. John Miller moved that the committee of the whole be discharged from the further consideration of House bill No. 14, entitled

A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of the compiled laws.

Which motion prevailed.

On motion of Mr. John Miller,

The bill was placed on the order of third reading.

Mr. Davis moved that the committee of the whole be discharged from the further consideration of House bill No. 2, entitled

A bill to amend an act entitled an act for the protection of game in the State of Michigan, approved February 14, 1859;

Which motion prevailed.

Mr. Davis moved to recommit the bill to the committee on State affairs, with instructions to so amend the same as to provide: 1st. For prohibiting the chasing and worrying any buck, doe or fawn, by means of dogs or hounds; 2d. The taking, killing or wounding them in the deep snows of winter, when the encrusted surface may render their escape impossible; 3d. To prohibit the chasing or driving them into enclosures of any kind, from which there is no escape, at any season of the year; 4th. To provide penalties for the violation of the foregoing provisions, and the manner of enforcing them; 5th. To report, also, as to the propriety of making all civilized inhabitants of Indian descent, who claim the privileges of citizenship, amenable to the provisions of the game law.

Mr. Gaylord called for a division of the question.

The question being upon the motion to recommit,

The motion prevailed.

The question recurring upon the motion to instruct the committee,

The motion did not prevail.

On motion of Mr. Winans,

The House adjourned until Monday morning, at 10 o'clock.

Lansing, Monday, January 19, 1868.

House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Dixon, Parsons, Sprague and Thayer.

Mr. Williams asked and obtained leave of absence for Mr. Dixon, for an indefinite time, on account of sickness.

Mr. Howell asked and obtained leave of absence for Mr. Parsons for an indefinite time, on account of sickness.

Mr. Abram Smith asked and obtained leave of absence for Mr. Sprague until Wednesday next.

Mr. Rankin asked and obtained leave of absence for Mr. Thayer, until to-morrow.

PRESENTATION OF PETITIONS.

By Mr. Pratt: petition of Asa B. Cook and 124 citizens of Marshall, Calhoun county, for a tax on dogs, that the same may be appropriated in paying for sheep killed by dogs;

Referred to the committee on agriculture and manufactures.

By Mr. Erskine: petition of Stephen Greenman, praying for a law to authorize him to sell certain real estate in the city of Ann Arbor;

Referred to the committee on the judiciary.

By Mr. Howell: petition of Jeremiah Ryan, J. H. Woodworth, and 198 others, of Newaygo county, asking to have certain townships attached to said county;

Also, petition of V. P. French and 27 others, for the same purpose;

Referred to committee on towns and counties.

REPORTS OF STANDING COMMITTEES.

By the committee on militia:

The committee on militia, to whom was referred the following concurrent resolution:

Resolved, by the House of Representatives, (the Senate concurring,) That the military authorities of this State be and they are hereby instructed to call upon the clerks of the several counties, for a full and complete list of all the volunteers who have enlisted from their respective counties, in the service of the government, since the commencement of the present war, at any place in the State, and in any of the Michigan regiments, with the view of crediting each county every volunteer who was a resident of the county at the time of enlisting, and that they delay a draft in this State until such returns are made by

the county clerks, and ample justice is done to each and every county,

Respectfully report that they have had the same under consideration, and in the opinion of the committee, the resolution was well intended, and its object commendable; but that injustice may have been done to certain localities, in giving the counties credit only for the volunteers who have enlisted since the first day of July last; yet they are at a loss to know how to apply the remedy. The information sought by the resolution is not within the reach of the county clerks, nor is it possible for the military authorities of the State to obtain any correct knowledge of the real place of residence of all the Michigan volunteers that have enlisted for the war, without unnecessary and inexcusable delay in filling the quota of the State, as the usual muster rolls show only the place of enlistment—not that of residence; and it is evident that many of our volunteers have affected to change their residence, in order to obtain the local bounties. The Legislature of 1862, by joint resolution No. 7, instructed the Adjutant General to make out and transmit to the county clerk of each county in the State, on or before the first day of October, 1862, “a correct list of the persons mustered into the service of the United States, or this State, from such county, giving, so far as practicable, the name, date of enlistment, company, regiment, whether married or unmarried; also, the number that have died in battle, or from sickness, or wounded in battle, and the names of those that have been discharged, or have deserted; and that additional lists shall, annually, at the time aforesaid, be transmitted, giving the mustering of the current year, together with deaths, discharges, or desertions, as the case may be.”

It appears from the Adjutant General's Report, pages 85, 86 and 87, that in obedience to these instructions, the Adjutant General has prepared lists containing all the required information which he has been able to obtain, which will soon be transmitted to the county clerks; yet he freely admits that they are necessarily imperfect; and it will further be seen that these lists

relate exclusively to the regiments and batteries of this State, and have no allusion to the volunteers who have been mustered into the regular service of the United States, or who have joined independent regiments, or brigades, of other States. Hence, to apportion anew the quotas to the counties, from these defective and incomplete lists, would fail to remedy any injustice which may have been done, but create new, and more bitter causes of complaint.

The committee would therefore recommend that the Legislature refrain from doing any act which will in the least interfere with the military operations of the State, in filling the present quota, confidently believing that as far as possible, ample justice will be done to every county in the State.

The quota of the State should be filled, and the Governor, having the supervision of the whole matter, should be allowed to exercise his discretion, so far as the demands of the government and the orders of the War Department will permit him so to do. But for the Legislature, by its dictation or interference, to stop or suspend the draft for an indefinite period, as would be necessary, to comply with the resolution, and at a time, too, when the exigencies of the service imperatively demand that the whole energies of the nation should be put forth to crush the rebellion, before the yellow fever shall return, or foreign nations attempt interference, would, were the example to be followed by other States, be putting in great peril the life of the nation. I am therefore instructed by the committee to report the following substitute for the original resolution, and recommend that the same be adopted, and ask to be discharged from the further consideration of the subject:

Resolved, (the Senate concurring,) That the supervisors of their respective townships, the assessors of their respective wards in cities, and the drafting commissioners of the several counties in this State, are hereby authorized and instructed to co-operate with the Adjutant General, in procuring the names and residences of all persons who have enlisted and been mustered into the service of the United States, or of this State,

since the commencement of the present war, and such other information relating to such volunteers and their families, as the Adjutant General may from time to time require.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

The resolution was laid over for one day, under the rules.

By the committee on salines:

The committee on salines, to whom was referred the petition of Chas. E. Gillett, E. B. Ward and others, to change the name of the Carlton Salt Manufacturing Company to the Empire Salt Company, have had the same under consideration, and instructed me to report thereon.

A part of the stockholders having disposed of their interest in the same to other parties, constituting practically a new company, the new owners wish to open a new set of books and continue the business, and to prevent confusion with the concerns of the old owners, desire to change the name.

Again, another company under the title of the Carrollton Mill Salt Manufacturing Company, are operating at the same place, and by two companies having so nearly the same name, confusion often arises.

The committee therefore instructed me to report a bill, entitled

A bill to change the name of the Carlton Salt Manufacturing Company to the Empire Salt Company,

Changing the name as desired by the petitioners, and recommending the same do pass, and ask to be discharged from the further consideration thereof.

S. B. BLISS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on table.

The bill was read a first and second time by its title, and

On motion of Mr. Bliss,

Was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred
A bill to amend act No. one hundred and thirty, session
laws of 1859, entitled an act to provide for the improvement of
the Bridgeport and Forestville State Road,

Would respectfully report that they have had the same under consideration, and have instructed their chairman to report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to authorize the county of Bleeker to build a bridge across the Menominee river, and asking a grant of swamp land, to aid in its construction,

Would respectfully report that they have had the same under consideration, and have instructed their chairman to report in favor of the bill, recommend its passage, and ask to be discharged from further consideration thereof.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize union school district No. 9, of the township of Grass Lake, in the county of Jackson, to issue bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending

that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Orego,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to provide for the assessment and collection of taxes in the township of Taymouth, in the county of Saginaw, for the year 1862;

Also,

A bill to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of the taxes of said township.

CHARLES BETTS, *Chairman.*

Report accepted.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 19, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House, the following concurrent resolution:

Resolved, by the Senate (the House concurring,) That the committees on militia of the Senate and of the House, be authorized to act as a joint committee; and be instructed to inquire into, and report some suitable means of perpetuating the memory of our brave and patriotic officers and soldiers who have fallen on the field of battle, and died of disease in

the camp and hospital, while in the service of the country, to the end that their names and heroic deeds, their sacrifices and sufferings, may be transmitted to posterity, upon the enduring records of the State, in a glorious and imperishable Roll of Honor,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Denman,

The House concurred in the adoption of the resolution.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howard offered the following:

Resolved, That there be printed one thousand additional copies of the report of the Adjutant General of this State, for the use of the members and officers of this House;

Which was adopted.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to confirm the title, and to authorize the board of corporation of the Reformed Protestant Dutch Church, to hold certain real estate.

Mr. Winans gave notice that on some future day he would ask leave to introduce

A bill for the extension of time for the collection of taxes in the township of Green Oak, Livingston county.

Mr. Winsor, unanimous consent being given, introduced

A bill to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes thereon.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

Joint resolution to provide for amendment of article 4, section 47, of the constitution of the State of Michigan.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Thomas, previous notice having been given, and leave being granted, introduced

A bill to amend section 1 of an act for the encouragement of agriculture, manufactures, and the mechanic arts, being section 1687 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Aldrich, previous notice having been given, and leave being granted, introduced

A bill to amend the charter of the Farmers' Mutual Fire Insurance Association, of Berrien county, Michigan.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Fowle, unanimous consent being given, introduced

A bill to amend sections 496 and 497, of the compiled laws, relative to the powers and duties of townships to make orders and by-laws, and to provide penalties for the violation thereof.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Buckley, unanimous consent being given, introduced

A bill to provide for the payment of unliquidated swamp land road contracts.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Toll gave notice that on some future day he would ask leave to introduce

A bill to amend article 1119, being section 4, of chapter 26, of the compiled laws;

Also,

A bill to authorize the appointing of two commissioners of State roads, in the county of Menominee.

Mr. Keeney gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in certain townships in the county of Monroe.

Mr. Denman offered the following:

Resolved, That so much of the report of the Auditor General as relates to act No. 198, of laws of 1861, be referred to the committee on the judiciary;

On motion of Mr. Howell,

The resolution was laid on the table.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

• House bill No. 14, entitled •

A bill to amend sections 18 and 19, of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353, of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallory,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slatter,
Spencer,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thomas,
Tinham,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,

Deane,
Denman,
Dockeray,
Donaldson,
Dow,
Eldridge,
Fellows,
Fiffeld,
Fitch,

McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,

White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

88.

NAYS.

9.

Title agreed to.

House bill, entitled

A bill to change the name of the Carlton Salt Manufacturing Company, to Empire Salt Company,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Donaldson,
Dow,
Eldridge,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallory,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Mr. Porter,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
T. G. Smith,
Abram Smith,
Atra Smith,
Stewart,
Sweezey,
Thomas,
Tinharn,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,

Fellows,
Fifield,
Fitch,

Mosher,
Pendill,
Piper, .
NAYS.

Woodworth,
Speaker,
86
0

Title agreed to.

On motion of Mr. Gaylord,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Toll,

The House went into committee of the whole on the general order,

Mr. E. G. Morton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 10, entitled

A bill for the relief of sick, disabled and needy soldiers;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

E. G. MORTON, *Chairman of Committee.*

Report accepted and committee discharged.

Mr. Deare moved that the House concur in the amendments made to the bill by the committee.

Pending which,

On motion of Mr. Howell,

The House adjourned until this afternoon at two o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on elections:

The committee on elections, to whom was referred the petition of Hon. Henry Miller, claiming the seat occupied by Hon. John N. Donaldson, as Representative from district number one, of Oakland county, respectfully ask leave to report that they have had the matter under consideration, and have instructed me, as their chairman, to report that they have heard the allegations and proofs produced by the respective contestants, memorandums of which proofs, with the election returns of the towns of Avon and Addison, in said district, accompany this report. And your committee find that the towns comprising said Representative district, are Addison, Troy, Avon, Oakland and Oxford, in said county of Oakland. That the whole number of votes cast in said district at the general election held November 4th, 1862, for Representative, by the official returns of the inspectors of the said several towns, were 1394, of which number, according to such returns, John N. Donaldson received 692, and said Henry Miller received 691, making Donaldson's majority one. That the whole number of votes so cast for Representative in the said town of Addison, according to such official returns, were 209, of which, according to said returns, said Donaldson received 156, and said Miller 53, making Donaldson's majority in the said town of Addison 103.

Your committee further find, that it was upon the returns of the inspectors above mentioned, that the board of district canvassers of said district acted, in making up their official canvass, and made their findings according to such returns. But your committee are satisfied, after a full consideration of the proofs produced before them, that the said returns from the town of Addison are incorrect, and were illegally made up; and that the majority of 103 so found for Donaldson in the town of Addison, exceeds the majority which he actually received in said town, or to which he is legally entitled, by 5 votes; and they submit the following facts found by them in support of their conclusions:

That said Donaldson, on the day of said election, was the town clerk of said town of Addison, and as such, officiated as one of the inspectors of election, with Jacob Bowers, the supervisor, Lester Sowles, justice, and another clerk; that on the evening of election day, after the polls were closed, the said inspectors proceeded and canvassed the votes polled at said election, and publicly declared off the majorities of several of the principal candidates; among them the majority on Representative in the Legislature, declaring the majority for John N. Donaldson, over Miller, to be 98; but whether they publicly declared off the majorities on all the candidates, or the whole number of votes received by the respective candidates on that evening, the evidence before your committee does not determine. That after closing the canvass, on that evening, the inspectors strung the ballots upon a thread, replaced them in the box, and locked it, said Donaldson taking the box, and said Bowers the key. That said inspectors then adjourned to the following day, to make out their statement of the result of the votes polled at said election. That on the following day, Wednesday, after election, Bowers and Donaldson, two of the inspectors, the others not being present, again met, and re-examined the tally lists kept by the clerks of said election, and altered the result found and publicly declared by them the previous evening, by adding from tally lists two more to Donaldson's vote, increasing his majority over Miller, in said town of Addison, to 100, but did not re-count the votes.

That said inspectors then made out the statement of the returns of said election, putting in the whole number of votes received by the several candidates at said election, with the exception of the votes for Representatives, spaces for which were left blank. In all other respects the said statements were completed, and the box locked, and the aperture of the box sealed up and delivered to the Clerk, said Donaldson. That subsequently, and on the following Monday, at the request of said Donaldson, and upon his expressing dissatisfaction with the result of the previous canvass, and suggesting that he

thought there must be a mistake in the previous count of the votes, said Bowers and Donaldson met at the residence of said Donaldson, and re-opened the said ballot-box, and re-canvassed said votes on Representative, increasing, as the result of such re-canvass, the majority of said Donaldson over said Miller, 3 votes more than was found on Wednesday, the day after election; thus making Donaldson's majority over Miller, in said town of Addison, 103—the same as contained in the official returns of said inspectors—no others being present at said re-canvass, but the servant girl of said Donaldson. That said Donaldson then filled up the blanks so left in the statement of the result of such election, made out on the Wednesday previous, on Representatives, with the number of votes thus found by him and Bowers, and delivered the same to said Bowers, to be by him returned to the board of county and district canvassers, and which is the same statement returned to the board of district canvassers, and upon which they acted in making up their official canvass, and which statement accompanies this report.

It further appears that when the said ballot-box was so opened by Bowers and Donaldson, on Monday, that there were one or two slips with Henry Miller's name on, loose in the box, having been scratched off or become separated in some way from the tickets on which they were originally placed, during the period intervening between the canvass on night of election, and the re-counting of the votes on the Monday following, and which slips were not credited to Miller on such re-count.

Your committee further find, that said Miller was, on the day of the last general election, November 4, 1862, the town clerk of the town of Avon, in said district, having been previously duly appointed by the town board of said town to fill the vacancy occasioned by the removal of the town clerk elect from the town, and as such clerk was one of the inspectors of election of said town, but that he did not act on the board of inspectors during the day of election, until after the close of the canvass. That by the official returns of the inspectors of election of said

town of Avon, to the board of district and county canvassers, and upon which such district canvassers acted in making up their official returns of the votes for Representatives in said district—making their findings according to such returns—the whole number of votes cast in said town for Representative in the State Legislature were 381, of which said Miller received 194, and said Donaldson received 177, making Miller's majority over Donaldson in said town 17, which returns accompany this report. That from the testimony of Alfred Millard, the assistant clerk of election of said town of Avon, it appears that at the canvass of the votes at the close of the polls, when the canvassers unfolded the votes, two votes were found so folded together as to present the appearance of having been deposited in the box as a single ballot; but it also appears, by the testimony of the same witness, that the number of ballots, counting these two votes as one, fell one or two short of the number on poll list; whether one or two, the witness did not recollect, but that the poll lists kept by the two clerks agreed. That both said votes had the name of Henry Miller on, for Representative, and that both were counted for Miller, by the inspectors, after it was ascertained that, by counting them as two ballots, the whole number of ballots would not exceed the number on the poll list.

And your committee are of the opinion, from the facts of the poll lists agreeing, and the number of ballots falling short of the footings of the poll list, that the said ballots must have become so folded together after being deposited in the box, and that the canvassers were correct in counting these two ballots.

Your committee further find that said Miller received a majority of 17 votes over said Donaldson, in said town of Avon, and that the majority on Representative in the State Legislature contained in the official returns for said town heretofore mentioned, agrees with the majority as found by the inspectors on the night of election.

Your committee further find that said election returns for the

town of Avon, were signed by Albert Terry, the supervisor of said town, and by said Miller.

Your committee further report that they are of the opinion, and so find that the two votes so added to Donaldson's majority on Wednesday after election, and also the three votes so added to his majority on the Monday next following election, thereby increasing his majority by five over his majority as found at the close of the canvass on the night of election, were improperly and illegally added thereto, and should be deducted from the whole number of votes returned for him in the official returns of the several towns composing the said first Representative district of Oakland county, viz: 692, thus reducing his whole vote in said district to 687, which, subtracted from 691, the whole number of votes received by said Miller, will leave a majority of four votes for said Miller, over said Donaldson.

Your committee are, therefore, of the opinion, that Henry Miller was legally elected Representative to the State Legislature, for the first district of Oakland county, at the general election, held November 4th, 1862, by a majority of four votes.

And your committee, therefore, recommend the granting of the prayer of the petition, and that said Henry Miller be admitted to the seat in this House, as Representative from district No. 1, of Oakland county, now occupied by John N. Donaldson.

All of which is respectfully submitted, together with the memorandums of testimony, and election returns for towns of Avon and Addison, in said district; and your committee ask to be discharged from the further consideration of the subject.

THADDEUS G. SMITH, *Chairman.*

Report accepted and committee discharged.

Mr. Eldridge gave notice that he desired to make a minority report on the subject.

On motion of Mr. Howell,

The documents accompanying the report were ordered printed.

The following are the accompanying documents:

Evidence taken before Committee on Elections.

Zepheniah B. Knight, produced and sworn as a witness on the part of the applicant, says:

I reside in Pontiac, Oakland county. Have resided there 18 years. Know Henry Miller and John N. Donaldson. Was county clerk of Oakland county for the two years preceding the first of this month. Am now the deputy clerk. Was clerk of the board of canvassers for the 1st Representative district in that county last November, on the Tuesday next following the annual election. The witness here produces the official returns of the township of Addison, of that county, of the votes cast at said election.

Witness further says that this is the return that was presented to the board of canvassers of that county and district on that day.

It is here admitted by the sitting member that his genuine signature is attached to said return, as one of the inspectors of election of the said town of Addison.

Witness further says the official canvass of that district was published in one of the papers published in that county.

Witness here produces papers purporting to be the official returns from the several towns composing the 1st Representative district of the county of Oakland, to-wit: Addison, Avon, Oakland, Troy and Oxford, from which it appears that the votes in said towns were as follows, to wit:

Addison, whole number of votes cast,.....	209
Of which John N. Donaldson received.....	156
“ Henry Miller received.....	53
Avon, whole number of votes cast,.....	381
Of which Donaldson received.....	177
“ Henry Miller “	194
Oakland, whole number of votes cast,.....	212
Of which Donaldson received.....	141
“ Henry Miller “	71

Oxford, whole number of votes cast,.....			265
Of which Donaldson received.....	138		
“ Henry Miller received.....	127		
Troy, whole number of votes cast,.....			326
Of which Donaldson received.....	80		
“ Henry Miller “			246
		<hr/>	<hr/>
		691	692 1393

Witness being further examined, says: I know one Jacob Bowers, of Addison. He was supervisor of the township of Addison at time of said election. He appeared and acted as one of the board of canvassers for said district, of which I acted as the clerk.* He represented Addison.

Question. Did you at such canvass have any conversation with said Bowers, with reference to the canvass of the votes in Addison, or hear him make any statement in regard to it to any person, in the presence of John N. Donaldson.

Which said question is objected to by the counsel for said John N. Donaldson, on the grounds of incompetency.

The committee decided to receive the answer to said question, subject to the said objection.

Answer. I don't remember that I had any conversation with Mr. Bowers, but heard him make a statement before said board of canvassers, in relation to the manner in which the board of inspectors of the township of Addison arrived at the result returned by them in this return. He said "the result arrived at on the night of election was not as they finally made, or as it appeared by the return." That at first an informal announcement was made (for the benefit of a messenger who was ready to carry the news to Pontiac) of the result as to some of the principal candidates; among them was the Representative for that district, at which time Donaldson was announced to have received 98 majority. But afterwards, I don't remember whether he said on the same evening or the next day, but one or the other, "the board proceeded to finish the canvass and ascertained the result to be that Donaldson had a majority of 100 or 101."

I don't remember which he said, but one or the other, "and that the first announcement was erroneous. That afterwards on the Monday following," (the 10th I believe,) the day before the district canvass, "the board proceeded to unlock the box and recount the votes, and ascertained the result to be as it appears in the official return. That at the close of the first count, the ballot box was closed and sealed. That the sealing was by pasting a paper over the aperture in the box where the ballots were put through." John N. Donaldson was clerk of the town of Addison at that time. Mr. Bowers stated where they met when they made the final canvass. He said "at John N. Donaldson's house. I don't know as he stated who was present except himself and John N. Donaldson. He said that John N. Donaldson was not satisfied with the first count, and thought there must be a mistake, and wanted a re-canvass. He stated that, as a reason why a re-count was made. I think Mr. Donaldson said, "that they found on the second count of the votes, tickets which they supposed had been counted among the straight tickets, with Mr. Miller's name struck off." Donaldson was present when Bowers made the statements I have testified to, in the same room. Bowers made these statements at the request of the board, publicly. Think Donaldson did not dispute anything Mr. Bowers said, but he agreed with Mr. Bowers precisely, as to facts, in a statement he then made to the board. The body of this township return is in the hand-writing of Mr. Donaldson.

Mr. Donaldson here admits that the words "nine," "three," and "six," were put in said return on the Monday night before the canvass, by the district board, in the blanks that had been left for that purpose. That the return had been made out, with blanks left to insert the numbers, between meetings of the board of inspectors of election, and these blanks were filled up when the final result was ascertained, on Monday, and before they were signed. Bowers said that he took the key, and Donaldson took the ballot-box.

Cross-examined. - Says that I know Henry Miller. He was one of the inspectors of election in the town of Avon, acting

as deputy clerk, I think. Mr. Bowers said something about a disagreement in the tally lists kept by the clerk, and that was given as a reason why a re-canvass was made. I think both Bowers and Donaldson stated this. Do not remember whether Bowers said the votes were re-counted that night, or the next day. Recollect something was said about somebody being sick, but do not remember who it was that was sick.

David W. Kleinhall, produced and sworn upon the part of the applicant, says:

I know Jacob Bowers and John N. Donaldson.

Question.—Did you have conversation with them in relation to the canvass of the votes for Representative, in the township of Addison, at the last fall election?

Objection, upon the same grounds as the former objection.

Answer.—I did. It was on the morning after the district canvass was made. On Thursday morning, I think, Mr. Bowers and Donaldson came into our store, and Bowers said to me, "Miller is very mad at me." I said "I guess not—why?" He said, because of the way I answered him on Tuesday, when he inquired of me how Addison had gone, and I answered by asking him how Troy had gone, and he told me he did not know—he had not seen the inspectors—and he asked me again if I did not know how Addison had gone, and I told him I did not; but about 100 majority for Donaldson. That at first we had made it only 98, but afterwards found one or two more votes.

Bowers then stated: "That after we got through the count, on the night of election, we, on the next day, examined the tally list and found a mistake of two." He did not say how they found the error, but said, "Dr. Donaldson and some of his friends were dissatisfied with the count, and we re-counted the votes on the Monday night previous to the district canvass. We found nine ballots with no one on for Representative, which increased Donaldson's majority three." He said, "this took place at the Doctor's house, and that some one was present." I asked, "who?" and he said, "a girl that worked for the Doctor

was in the room, and no one else." Donaldson was present during the whole of this conversation.

Being cross-examined, says:

Bowers said something about adjourning, because some one was sick. I think it was Mr. Hagleman he mentioned as being sick. He said they met at Donaldson's house for the last count. That is all I recollect of that conversation.

Mark S. Brewer, produced and sworn on the part of the applicant, says:

I was at Lakeville, in the township of Addison, in Oakland county, on the day of the last general election. Was at the polls during the day. Was there at the close of the canvass, and during about two-thirds of the count of the votes. It was on election day, immediately after the close of the polls. The inspectors of election were Jacob Bowers, Lester Sowls, John N. Donaldson. They had an extra clerk. While I was present, Jacob Bowers called off the votes. He sat at the end of the table, and would open the box, take out a vote and look at it, and if no marks were on it, would call it a straight Union or straight Republican ticket, as it happened to be. They were then passed to Mr. Sowls, who re-examined them. At this time, Mr. Donaldson and the other clerk were keeping tallies and putting them down. They finished not far from eight o'clock P. M. After they got through with the count, counted the tallies and figured up the majorities of some of the principal candidates, among them the one for Representative, and declaring his own to be 98; declared the majorities to Mr. Bowers, who wrote them down on a ticket for a messenger going to Pontiac, declaring them loud enough for those around to understand. I took the same down as they were given off, for my own use. I did not hear the other clerk say anything. There was no declaration. That count was made to give the result to the messengers. The majorities were figured from the tally sheet, after all the votes were counted, and the ballots were returned to the box. I had conversations with Bowers about that canvass about nine days after that.

Question.—What did he state in that conversation relative to the canvass?

Objected to by sitting member, as incompetent.

I met him the next morning after the district canvass. He took out some papers and said "Henry is a little mad," referring to Mr. Miller. We got into conversation about the election. He said "They made Donaldson's majority 98 that night of the election. That the clerks found a mistake in the tally lists next day which gave the doctor two more, or made his majority one hundred." I think he said "he was not there and knew nothing of that." That if there was any fraud in it, he had nothing to do with it. That they met the next Monday night at the town clerk's office, at Donaldson's house and re-counted the votes. That the doctor and his friends were a little dissatisfied and we concluded to re-count the votes." He said "he told them that they did not know as they had a right to do so. That he had charge of the key and Donaldson the box,"

Being cross-examined says: I left the polls immediately after the majorities of a few candidates had been declared.

O. R. Adams being produced and sworn upon the part of the applicant, says:

I know Jacob Bowers. I was present before the board of canvassers, at Pontiac, on the 11th of November last, as a member of that board. The question of the legality of Donaldson's election was raised before that board by Mr. Henry Miller. Mr. Donaldson then explained the circumstances attending the counting of the votes as has been testified to here. He said that on the evening of the election they canvassed the votes and figured up the majorities of some of the principal candidates, and among them the one for Representative. These figures he handed to a messenger going to Pontiac. By those figures his majority was 98. The ballots were then strung on a thread and returned to the box, which was locked. The board adjourned till the next day to make out their statement. They met the next day. I do not recollect where he said they met.

They then made out the statement leaving blanks in the places where they were to put the number of votes of the office of Representative. I do not recollect that anything further was said about the transactions of that day. He said "they met the next Monday night at Mr. Donaldson's house." I did not understand that on the day following the election there was any re-counting of the votes, but that there was on Monday. He said "his majority, as figured on Tuesday, was 98. That on Wednesday they discovered from the tally lists a mistake, which made his majority one hundred, or one hundred and one." I am of the impression it was 101, but Mr. Knight said 100 in his testimony. I think the majority was increased there by the mistake in the tally list. That on Monday night, the re-counting increased Donaldson's majority two, making it 103 at that time. The statements of Donaldson and Bowers agreed.

Bowers said "that there were two slips of Miller's in the box that had got rubbed off. I think it was one or two; would not be positive which. The return was made out in full, all except the number of votes for Representative." I understood that it was signed, but did not pay so much attention to the remarks about the signing as I did to those about the making out understood, was made up on Wednesday, with the blanks left of the body of it, and am not positive about it. The statement, I to be filled up. This is the substance of their statement before the board of canvassers. They did not state they re-counted the votes for candidates for other officers, except Representative.

Cross-examined, says: I was not present at the district canvass. I did not understand that there was an adjournment on Wednesday. Do not recollect that any reason was given why the matter was laid over from Wednesday. There was something said about the assistant clerk being sick on Tuesday evening; not on Wednesday. That the adjournment to Wednesday was in consequence of his sickness.

Mr Bowers did not state that he examined the box particularly to see if there was anything wrong, and to see if there was any slips loose, and found everything all right. I don't

recollect what was said about the signing, but think it was said that it was signed on Wednesday by all but the clerk. Something was said about Sowles not being present. My recollection as to what was said about the signing on Wednesday, is imperfect. Both of them stated that the supervisor took the key, and the clerk took the box, and they were not brought together until Monday, when the box was opened, and a recount made.

Benjamin B. Ketchum, a witness produced and sworn upon the part of the sitting member, John N. Donaldson, says:

I reside in Addison, Oakland county. Was at the election held in that town on the fourth of November last. Was present when the votes were counted. I was near enough to see all that was going on, and watched the proceedings close. The supervisor would take the tickets from the box, hold them up to the candle, and if no names were scratched off, would say straight Union, or Republican, as it happened to be. I was near enough to see the tickets. I saw that some of them had their names erased. They were, when counted, handed to Esq. Sowles, and he strung them as fast as they were counted. I could not say that he tied the ends of the thread together. Watched the clerk, as they kept tallies most of the time. I saw mistakes made in the keeping of tallies. There was one mistake made by Mr. Donaldson, beyond any doubt. It was a Republican ticket, with Miller's name erased, and John N. Donaldson's name in the place of it, on a slip. This vote he did not tally to himself. When it was called, he ran his finger down the list to his name, and put the tally on the line above or below, I do not know which. I spoke to him about it, and told him "he did not give that vote to himself." He said, "I guess I did; I am not in the habit of making mistakes." I said "I guess you have this time, but have nothing further to say." I did not see that mistake corrected. I was present when the majorities were made up on a part of the candidates; not all of them. The figures were given to me to take to Pontiac. Donaldson gave me the figures. I left immediately, and was not

present at the closing up of the business. Was at Addison the next day. Was present while the board was in session. They were pretty near through when I got back. The inspectors of election were Jacob Bowers, Lester Sowles, John N. Donaldson, and William S. Hagerman, extra clerk. There were but two of them present on Wednesday, Jacob Bowers and John N. Donaldson. The board adjourned on account of the absence of the rest of the board, I believe. I heard something said about it then. I had some conversation with Bowers.

Cross-examined, says: The majority of Donaldson, as he gave it to us on the night of the election, was 98. I think that on Wednesday, I spoke to him about the mistake; Donaldson said there was a mistake on the paper he gave me, of two; I told him his majority in the district was seven; I heard that this was not so a day or two afterwards.

Alfred Millard, produced and sworn, on the part of the sitting member, J. N. Donaldson, says: I reside in Avon, Oakland county; know the contestants. At the last general election, the inspectors of election for the township of Avon, were Mr. Terry, supervisor, Burbanks, justice, John Roberts, and myself, as clerks. I acted as clerk at the request of Mr. Miller. He was appointed clerk of that township on the Saturday before the election, by the supervisor and justice; I saw notices of election signed by Henry Miller, as deputy clerk; Miller was present at the election, but did not act; it was on the Saturday before election that he asked me to act as clerk, on election day. He, on that day, drew up an appointment of clerk to fill the place of the clerk who had left, leaving the name blank, and the town board, upon motion, inserted his, Miller's, name, and the appointment was signed. This was on Saturday, before election, while the board of registration was in session.

The paper purporting to be the return of the township of Avon, shown to witness, who says:

The body of it is in Miller's handwriting; Mr. Miller was present at the opening of the polls; he did not take his seat as clerk, or act as one of the board of inspectors on that day. I

was present at the canvass of the votes; I saw a double vote then. After the polls had been closed, pursuant to declaration, we unlocked the box, and emptied out the votes upon the table and proceeded to ascertain the whole number of votes, I with the rest. We counted votes and compared the number with the footing of the poll list. I think we found the number short, can't say how much; one or two, I think. There had been errors on the poll list discovered during the day, as for instance, a number was repeated twice; Miller had made out the poll list and put the numbers on, and handed them to us. There were two repetitions in one list, and one omission in the other, or "vice versa." I have examined the poll list; did so on the fifteenth, (15th,) instant. They have, since election, been in Mr. Miller's office. I counted the names; there were 374 names on the poll lists; the two lists tallied; have not seen the votes since election; I found double tickets among the votes at the time of canvassing them. In unfolding the votes, I found two votes folded together. They looked as though the votes had been placed together, and folded up before they were voted; do not think they could have got together in that way, in the box; do not believe they could; did not believe so at the time, and said so to the board.

Those votes were both counted in the canvass. Both were votes for Miller, for Representative. I called the attention of the board to them. There was a good deal of talk about it by those outside. They were carefully compared to see if the folds of the tickets were alike, and they were. Then they were put under the candlestick until the rest of the votes were counted.

The paper purporting to be the official return from the town of Avon, shown to the witness, who says:

I do not know when this was written. I know that Miller drew up a return, or statement, on the next day after election. Mr. Terry was present. I presume this is the one, but do not see anything upon it by which I can identify it as the one. It is in the hand-writing of Mr. Miller.

Being cross-examined, says: After the rest of the votes were counted, Mr. Burbank made a motion that the two votes be counted. Mr. Terry was silent. Roberts and Burbank voted for the counting. Terry did not vote for it. They were counted. The majority for Miller, I think, was 17. I presume this statement is correct, as I announced it—could not say positively. I read off, or announced the result. I think Mr. Miller and myself compared the statement, or return he made out, with the tally lists. They agreed, all through. The number of votes counted was less than the number of names on the tally lists. We all counted votes, and gave the numbers to one, who figured them up. This was done before the votes were unfolded. There were 874 names on the poll lists, I think.

Being re-examined, says: I was sworn in by Mr. Miller, on the day of election.

Zepheniah B. Knight recalled upon the part of the sitting member, and to whom was shown the returns from the township, of Avon, of the last election, says: They are the returns made last fall. Henry Miller presented these returns. He appeared as one of the canvassers, and presented them just as they appear. I think the statement is in his hand-writing. There was objection made before the board of canvassers, on account of the fact that it did not appear by the returns that a majority of the board of inspectors had joined in the appointment of a delegate to the board of county canvassers. It was laid upon the table for a while, and was finally received as it is.

UNFINISHED BUSINESS.

The question pending, being upon the motion to concur in the amendments made by the committee of the whole to House bill No. 10, entitled

A bill for the relief of sick, disabled and needy soldiers,

Mr. Howell moved to amend the bill by striking out the word "ten," in the first line of section 1, and inserting the word "twenty," in lieu thereof;

Mr. Howell demanded the yeas and nays;

The demand was seconded, and the motion to amend prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Bentley,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Cook,
Cowan,
Davis,
Denman,
Dow,
Eldridge,
Erskine,
Fellows,

Mr. Fowle,
Freeman,
Gargett,
Grinnell,
Haze,
Hemingway,
Hood,
Howard,
Howell,
Littlejohn,
Mallory,
McKernan,
McMartin,
H. C. Morton,
Mosher,
Piper,

Mr. Read,
Slafter,
Spencer,
T. G. Smith,
Stewart,
Sweezey,
Thomas,
Toll,
Welch,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker.

47

NAYS.

Mr. Allen,
Betts,
Clark,
Combs,
Congdon,
Crane,
Crego,
Deare,
Dockeray,
Donaldson,
Fifield,
Fitch,
Gaylord,

Mr. Green,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hodgkinson,
Jenison,
Keeney,
J. C. Miller,
John Miller,
E. G. Morton,
Pendill,

Mr. Porter,
Pratt,
Raymond,
Abram Smith,
Aura Smith,
Tinham,
Voorhies,
Warner,
Weatherby,
White,
Winans,
Woodworth,

37

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

GENERAL ORDER.

On motion of Mr. Dow,

The House went into committee of the whole on the general order,

Mr. Wilson in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to amend section 872 of the compiled laws;
2. A bill to amend section 4581 of the compiled laws;
3. A bill to amend section 4 of an act entitled an act to provide for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black River, in said township,

And have directed their chairman to report the same back to the House without amendment, and recommend their passage.

The committee of the whole have also had under consideration,

4. A bill to provide for the payment of the officers and members of the Legislature, for the year 1863,

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

J. B. WILSON, *Chairman of Committee.*

Report accepted and committee discharged.

The first, second and third named bills were placed on the order of third reading.

On motion of Mr. Gaylord,

The amendment made to the fourth named bill was concurred in.

On motion of Mr. Howell,

The rules were suspended, and House bill No. 9, entitled
A bill to provide for the payment of the officers and members of the Legislature for the year 1863,

Put upon its immediate passage,

The bill was then read a time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,

Mr. Freeman,
Gargett,
Gaylord,
Green,

Mr. Pratt,
Raymond,
Read,
Sherman,

Betts,	Grinnell,	Slafter,	
Bowen,	Griswold,	Spencer,	
Buckley,	Grosebeck,	T. G. Smith,	
Buell,	Harmon,	Abram Smith,	
Burt,	Henry Hayden,	Aura Smith,	
Clark,	Hemingway,	Stewart,	
Cobb,	Hodgkinson,	Swezey,	
Combs,	Hood,	Thomas,	
Congdon,	Howard,	Tinham,	
Cook,	Howell,	Toll,	
Cowan,	Jenison,	Voorhies,	
Crane,	Keeney,	Warner,	
Crego,	Littlejohn,	Welch,	
Davis,	Mallory,	Weatherby,	
Deare,	McKernan,	Wheeler,	
Denman,	McMartin,	White,	
Dockeray,	J. C. Miller,	Williams,	
Donaldson,	John Miller,	Wilson,	
Dow,	E. G. Morton,	Winans,	
Eldridge,	H. O. Merton,	Winsor,	
Fellows,	Mosher,	Woodman,	
Fifield,	Pendill,	Woodworth,	
Fitch,	Piper,	Speaker,	
Fewle,	Porter,		85
	NAYS.		0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Pratt,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Tuesday, January 20, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Cook: petition of Israel L. Cook and 126 others, electors of the township of Eckford, Calhoun county, asking the

Legislature to legalize the proceedings of a special township meeting, held on the 13th day of December, 1862, for the purpose of raising money to pay bounties to volunteers;

Referred to the committee on banks and incorporations.

By Mr. Buckley: petition of Joseph P. Beach, John S. Adams, and 75 others, citizens of the township of Penfield, Calhoun county, asking that a law may be passed to allow said township to raise money by taxation, to pay bounties to volunteers;

Referred to the committee on banks and incorporations.

By Mr. Littlejohn: petition of 15 of the board of supervisors of the county of Allegan, asking the passage of a law allowing them to fix their per diem in a sum not exceeding two dollars and fifty cents per day;

Referred to the committee on State affairs.

By Mr. Littlejohn: petition of Jan W. Garvelink and 51 others, of the township of Fillmore, in the county of Allegan, asking the passage of a law to enable them to raise a volunteer fund by levying a tax on the property of said township;

Referred to the committee on banks and incorporations.

By Mr. Rankin: petition of John W. Birchmore and 68 others, inhabitants of the city of Flint, asking that measures may be taken for procuring the return of sick and wounded soldiers belonging to this State, that they may be cared for at home;

Referred to the committee on militia.

By Mr. Rankin: petition of C. G. Curtiss and 110 others, citizens and property-holders of the county of Genesee, asking for additional legislation to check, as far as possible, the further dissemination of Canada thistles, over the farms in this State;

Referred to the committee on agriculture and manufactures.

By Mr. Griswold: memorial of the board of supervisors of the county of Kent, praying for a law taxing dogs;

Referred to the committee on agriculture and manufactures.

By Mr. Erskine: memorial of the board of supervisors of the county of Sanilac, for the passage of a State family volunteer relief law;

On motion of Mr. Erskine,

The memorial was referred to the committee on State affairs, and ordered printed in the journal.

The following is the memorial:

Resolved, by the board of supervisors of the county of Sanilac, That the expenses under the volunteer relief law, incurred by the county, ought to be assumed and paid by the State, and that the State, in the opinion of this board, ought to make provision for the support of families of volunteers by a direct tax, there being under the present system a great inequality;

Resolved, That our Representative and Senator in the State Legislature are hereby instructed to use their best endeavors to procure the passage of a law to that effect, at the next session of the Legislature;

Resolved, That the clerk of the county furnish a copy of these resolutions to the Senator and Member elected at the coming election, at as early a day as practicable, to be by them laid before the Legislature.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the Farmers' Mutual Fire Insurance Association, of the county of Berrien,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations :

The committee on banks and incorporations, to whom was referred sundry petitions, praying that the action of certain counties and townships, in voting and raising by tax, bounties for volunteers be legalized; and also, to whom was referred

A bill to refund money paid for bounties to volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for said bill, and recommend that the bill so substituted do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Asylum for the Deaf, Dumb and Blind:

The committee on Asylum for the Deaf, Dumb and Blind, have had a meeting with a like committee of the Senate, and have agreed to visit that Institution on Wednesday, the 28th inst., and recommend that the House grant leave of absence to the committee at that time, for that purpose.

EDWIN STEWART, *Chairman.*

On motion of Mr. Hemingway,

The recommendations of the committee were concurred in, and leave of absence granted the committee for the purpose specified in the report.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to amend sections 496 and 497 of the compiled laws, in relation to the powers and duties of townships to make or-

ders and by-laws, and to provide penalties for the violation thereof,

Would respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution authorizing the sale of 2,000 copies of the compiled laws,

Would respectfully report that they have had the subject under consideration, and find, by inquiry and examination, that the State has now on hand some 5,000 or 6,000 copies of the compiled laws. The Legislature of 1861 passed an act authorizing the sale of not exceeding 2,000 copies, at a price not less than \$5. Under this act, your committee learn that but a few copies have been sold. Owing to the changes and amendments which are continually being made, at every session of the Legislature, these laws are becoming more valueless and will soon become useless and worthless to the State. Your committee would therefore recommend, that a further reduction of the price to \$3, be made, and that this joint resolution do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred:

A bill to amend section 1 of an act for the encouragement of agriculture, manufactures, and the mechanic arts, being section 1687 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Winans,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section ten, of chapter twelve, of the compiled laws, relative to the election of overseers of highways,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the minority of the committee on elections:

The undersigned, from committee on elections, to whom was referred the petition of Henry Miller, contestant for the seat now held by John L. Donaldson, as member of this House from the 1st Representative district of the county of Oakland, asks leave to report that he has examined the allegations in the said petition set forth, and the evidence of the parties contestant, with the following result:

As the main issue of fact made in this case by the contestants, was in relation to the number of votes cast for the parties respectively, in the township of Addison, in said district, I

have endeavored to determine from the evidence, what majority John N. Donaldson did actually and legally receive in said town. Without stopping to inquire as to the propriety of considering the testimony of Knight, Kleinhans, Adams and Brewer, as to the statements made by one Bower, sometimes in the presence of Donaldson and sometimes not, but giving it the weight the majority of the committee seem to give it, let us see if the contestant establishes the sweeping charges in his bill, or proves beyond a reasonable doubt, that John N. Donaldson did not receive a majority of 103 in the town of Addison. By doing so, we do not mean to admit that it was proper to receive as the sole evidence upon which to convict a member of this House of a high crime, and unseat him, or keep from his seat a person legally entitled thereto. Inasmuch as the evidence adduced by the contestant shows conclusively that there was within his reach direct testimony as to the truth or falsity of his allegations, we feel bound to scrutinize carefully the testimony he does introduce, and give it the construction most favorable to the sitting member that it will permit of. Upon the contestant is the burden of proof. If he relies upon merely raising a presumption in his favor, that presumption must be so strong as not to admit of a reasonable doubt.

Without repeating the testimony, as it is reported, we will merely refer to facts that we think are shown by it. Donaldson was clerk of the town of Addison, and one of the inspectors of election, on the 4th of November last, and while thus acting as clerk, when the votes were counted and one was read off that had his name pasted over that of Miller, he failed to tally that to himself, but did tally it to some one else; at least, placed the tally of that vote upon the line next above, or next below his name. His attention was called to the mistake. It was not corrected, because he, it may be through pride, and because he failed to be convinced that he had made a mistake, thought he had not.

This vote could not have been tallied upon the line of the name of the office, or on a vacant line, without his discovering it imme-

diately, and correcting it. As it appears from the returns from that town, that no votes were given for any other person for the same office, and considering that, according to the usual form of tally lists, (first, the name of the office, then that of one candidate, and following that, the other, or others, if more than two candidates are in the field, and then one or more blank lines,) Miller's name immediately preceded or followed Donaldson's name, we are forced to the belief that this vote, spoken of by Benjamin Ketchum, was erroneously tallied to Miller's name. After the votes were all counted, Donaldson, in order to send to Pontiac news of the result, figured up the majorities of some of the principal candidates, among them his own, which, in accordance with his figuring, he declared to be 98. No formal announcement was made. This figuring up of the majorities of some, was merely for the purpose of the messenger. Either on the same night or on the next day, at the adjourned meeting, (the witnesses are in doubt which was the time,) a mistake was found in the tally list, according to the witnesses retailing statements, not testifying to facts, a correction of which made Donaldson's majority 100, or 101. (Here, again, the witnesses are in doubt about the number stated—strong proof that this hear-say evidence ought not to be relied upon.)

If we put the construction upon the testimony to this point, that common sense dictates, and consider the character of the testimony, and also the fact that up to the time of the discovery of the mistake, Donaldson, or his friends, could have had no motive to criminally strike out, or add to the tallies, the most reasonable conclusion is, that the correction spoken of, was merely a correct counting of the tallies on the list, and thus correcting the conclusion that he arrived at, while figuring for the benefit of the messenger—merely showing that he then figured wrong.

And when the witnesses speak of Bowers saying that by this correction it increased Donaldson's vote to 100 or 101, it cannot surely be claimed by this House, as the majority of the com-

mittee seem to think, that Bowers intended to be understood that they stuffed the ballot-box, by putting in two or three more ballots. Bowers had been speaking of Donaldson's majority of 98, and not the number of votes in all cast for him. He says, "increased his vote from 98 to 100 or 101," and not from 153 to 155 or 156, referring to the number of ballots.

Inasmuch as there is a doubt as to whether the tally lists showed Donaldson's majority to have been 100, or 101, we give the sitting member the benefit of the doubt, as he is entitled to assume that from the tally list, by correct count of the tallies, his majority appeared to be 101. And we are not governed alone by this rule, as to who has the benefit of a doubt. We consider this fact, that a correct re-count of the votes would correct the mistake in tallying, testified to by Ketchum. Would have taken one from Miller, and added one to Donaldson's vote, and thus have increased his majority two.

It needed but this correction to make his majority 103, if by correct count of the tallies he had 101 majority. We conclude that the re-count, though made at the wrong time, merely corrected the mistake, and effected nothing more than to give to Donaldson the majority he was legally entitled to. With the rule that every man is to be considered honest and innocent until proved guilty or dishonest, it is fair to presume that the re-count, made at the wrong time, was nevertheless made correctly.

I can see nothing in the evidence that tends to show that Donaldson and Bowers, or either of them, intended to commit a fraud in making the second count. I am firmly convinced they acted in good faith. They did not keep it a secret but before the board of canvassers, publicly stated the facts, freely and evidently, with no object but to inform the canvassing board of all the facts. The return is proper in form, full and complete, and it needed no such voluntary statement as was made, to entitle the return to be received and acted upon by the board of canvassers. I cannot, as the majority of the committee seem to, conclude that Donaldson, because he and Bowers,

evidently acting in good faith, made this second count, should not receive the benefit of the vote given him, and tallied, in all human probability, to his opponent, by mistake. I can see no crime in correctly counting the tallies on the tally list, even on the day after election; nor can I concede that Donaldson, or rather the people choosing him as their Representative in this House, should be bound and deprived of their right, simply because he makes a mistake in counting tallies, or it may be in the subtraction of one vote from the other, while preparing a message for Pontiac.

I will not refer to the proofs, made by the sitting member in relation to the canvass, in the town of Avon, and thus lengthen this report. Perhaps I owe an apology for its present length, but I have spread out enough of the facts to warrant me, I think, in making the following recommendation, to wit:

That the petition be re-committed to the committee, with instructions to send for Jacob Bowers, who can testify directly as to mode of conducting the canvass, in what consisted the disagreement of the tally lists spoken of by Knight in his cross-examination; also to send for the tally lists themselves, and the ballot box and its contents, as well the poll lists, and also the poll lists of the town of Avon, and other papers from that town.

I cannot see the propriety of this House proceeding to determine this matter, while so many important claimed facts are left entirely in the dark, to be supplied by the imagination or prejudice of members, and that, too, while direct proof as to those facts is within our reach. If compelled to decide from the light we now have, and giving to the sitting member the benefit of every reasonable doubt, as we are in duty bound, it is our deliberate judgment that John N. Donaldson was legally elected, and is entitled to the seat he now holds, as member of this House from the first Representative district of the county of Oakland, and that the prayer of the petitioner ought to be refused.

All which is respectfully submitted.

JAMES B. ELDRIDGE.

Report accepted and committee discharged.

On motion of Mr. Howell,

The report was ordered printed, and the contested election case made the special order for to-morrow morning, at 11 o'clock.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell gave notice that on some future day he would ask leave to introduce

A joint resolution—referring it to the Board of State Auditors to settle and adjust the claims of the State against the bail of John McKinney, late State Treasurer.

Mr. Deare offered the following:

Whereas, It is shown by the very able report of the Adjutant General of this State, that the quota of this State, under the first call of the President, dated April 15th, 1861, was 780 men, for three months; that under the call dated August 3d, 1861, it was 19,500 men, for three years or during the war; those of July 2d and August 4th, 1862, were for 11,686 men each, making the total number of men required to be furnished by this State, under all the calls or requisitions, from the commencement up to this time, 43,652 men;

And whereas, It is further shown by the said report, that the whole number of men voluntarily enlisted into the service of the United States, from this State, since the commencement, is 45,569;

And whereas, It thereby appears that there have enlisted, during the time above mentioned, from this State, into the service of the United States, 1,917 men more than is required to fill all the quotas of this State, besides 1,453 men who enlisted in this State, and who have gone to join regiments in other States, making the total excess 3,460 men in all;

And whereas, It is further shown from said report, that on the first day of July, 1862, this State had already furnished, with an unprecedented patriotism, 5,454 men in excess of the quota then required of her, and for which she does not appear to have received any credit;

And whereas, The people of the State of Michigan, have always responded with ardor and patriotism to every call of the government, and is, and ever will be, ready to meet with alacrity every just demand made upon them, to the extent of their full share of men and means;

And whereas, According to said report, there is required yet, to be furnished, 2,970 men; therefore, be it

Resolved, That His Excellency, the Commander-in-Chief, be and is hereby requested to explain to this Legislature, why the people of this State are thus called upon to furnish 6,430 more men than appears from the Adjutant General's report to be just and equitable.

Mr. Erskine moved to lay the resolution on the table;

Which motion did not prevail.

On motion of Mr. Hemingway,

The resolution was referred to the committee on State affairs.

Mr. T. G. Smith offered the following:

Resolved, That Henry Miller be admitted to the seat in this House, as Representative from district number one, of Oakland county, now occupied by Hon. John N. Donaldson.

On motion of Mr. Howell,

The resolution was made the special order for to-morrow, at 11 o'clock.

Mr. Deare offered the following:

Resolved, That the committee on supplies be and are hereby requested to inquire into and report upon the expediency of lighting this Hall with kerosene oil.

Which was adopted.

Mr. Rankin gave notice that on some future day he would ask leave to introduce

A bill to provide for checking the spread of Canada thistles over the State of Michigan.

Mr. Pratt gave notice that on some future day he would ask leave to introduce

A bill to amend section-5842 of the compiled laws, [the same being section 23, of chapter 183, of the revised statutes of 1846.

Mr. Bliss gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the city of East Saginaw, for the year 1862.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill to abolish the office of district judge in the Upper Peninsula, and to provide for the election of circuit judges, and for other purposes.

Mr. Barnes moved that the certificates in the case of Hon. Chandler Freeman and Hiram C. Hodge, be taken from the table;

Which motion prevailed.

On motion of Mr. Barnes,

The certificates were referred to the committee on elections.

Mr. Pendill gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment rolls of the several townships in the county of Marquette, and territory thereto attached and to extend the time for the collection of the same.

Mr. Wilson, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in the county of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. E. G. Morton, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend sections 11 and 127, chapter 117, of compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Winans, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Green Oak, in the county of Livingston, for the year 1862.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 8, entitled

A bill to amend section 4581 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fitch,	Mr. Mosher,
Aldrich,	Fowle,	Pendill,
Allen,	Freeman,	Piper,
Bentley,	Gargett,	Pratt,
Betts,	Green,	Rankin,
Bliss,	Grinnell,	Raymond,
Bowen,	Griswold,	Read,
Buell,	Harmon,	Slafter,
Burt,	Haze,	Spencer,
Cobb,	Hemingway,	T. G. Smith,
Combs,	Hood,	Aura Smith,
Congdon,	Howard,	Stewart,
Cook,	Howell,	Thayer,
Cowan,	Jenison,	Toll,
Crane,	Keeney,	Voorhies,
Crego,	Littlejohn,	Warner,
Davis,	Mallory,	Welch,
Deare,	McKernan,	Weatherby,
Denman,	McMartin,	Wheeler,
Dockeray,	J. C. Miller,	White,
Donaldson,	John Miller,	Winans,
Fellows,	E. G. Morton,	Speaker,
Fifield,	H. C. Morton,	

68

NAYS.

Mr. Barnes,	Mr. H. A. Hayden,	Mr. Tinham,
Buckley,	Henry Hayden,	Williams,
Clark,	Hodgkinson,	Wilson,
Eldridge,	Abram Smith,	Winsor,
Erskine,	Sweezey,	Woodman,
Gaylord,	Thomas,	Woodworth,
Grosebeck,		

19

Title agreed to.

House bill No. 11, entitled

A bill to amend section 4 of an act entitled an act to provide

for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black river, in said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gargett,	Mr. Rankin,
Aldrich,	Gaylord,	Raymond,
Allen,	Grinnell,	Read,
Barnes,	Griswold,	Sherman,
Bentley,	Grosebeck,	Slafter,
Betts,	Harmon,	Spencer,
Bliss,	H. A. Hayden,	T. G. Smith,
Bowen,	Henry Hayden,	Abram Smith,
Buckley,	Haze,	Aura Smith,
Buell,	Hemingway,	Stewart,
Burt,	Hodgkinson,	Sweezy,
Cobb,	Hood,	Thayer,
Combs,	Howard,	Thomas,
Congdon,	Howell,	Tinham,
Cook,	Jenison,	Toll,
Cowan,	Keeney,	Voorhies,
Crane,	Littlejohn,	Warner,
Crego,	Mallory,	Welch,
Davis,	McKernan,	Weatherby,
Deare,	McMartin,	Wheeler,
Denman,	J. C. Miller,	White,
Dockeray,	John Miller,	Williams,
Donaldson,	E. G. Morton,	Wilson,
Eldridge,	H. C. Morton,	Winans,
Erskine,	Mosher,	Winsor,
Fellows,	Pendill,	Woodman,
Fifield,	Piper,	Woodworth,
Fitch,	Porter,	Speaker.
Freeman,	Pratt,	

NAYS.

86

0

Title agreed to.

House bill number 7, entitled

A bill to amend section 872 of the compiled laws,

Was read a third time, and,

Pending the taking of the vote on the passage thereof,

On motion of Mr. Howell,

The bill was re-committed to the committee on judiciary.

House bill No 10, entitled

A bill for the relief of sick, disabled and needy soldiers,
Was read a third time, and,

Pending the taking of the vote on the passage thereof,

Mr. Howell asked and obtained the unanimous consent of the House to amend the bill by inserting the words "or donate," after the word "loan," in the first line of section 8, and also the same words after the word "loan," in the fourth line of section 4.

Mr. Barnes asked and obtained the unanimous consent of the House to amend the bill by inserting after the word "found," in the fourth line of section 4, the words "to look after their welfare."

Mr. Deare moved that the bill be re-committed to the committee on ways and means;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Fowle,	Mr. Pendill,
Aldrich,	Freeman,	Piper,
Allen,	Gargett,	Porter,
Barnes,	Gaylord,	Rankin,
Bentley,	Green,	Raymond,
Betts,	Grinnell,	Read,
Bliss,	Griswold,	Slafter,
Bowen,	Grosebeck,	Spencer,
Buckley,	Harmon,	T. G. Smith,
Buell,	H. A. Hayden,	Aura Smith,
Burt,	Henry Hayden,	Stewart,
Clark,	Haze,	Sweezy,
Cobb,	Hemingway,	Thayer,
Combs,	Hodgkinson,	Thomas,
Congdon,	Hood,	Tinham,
Cook,	Howard,	Voorhies,
Cowan,	Howell,	Warner,
Crane,	Jenison,	Welch,
Crego,	Keeney,	Weatherby,
Davis,	Littlejohn,	Wheeler,
Deare,	Mallory,	White,

Denman,
Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,
Fitch,

McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker. 84

NAYS.

Mr. Donaldson,
Fifield,

Mr. Pratt,

Mr. Abram Smith,

4

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

Resolved, (the Senate concurring,) That the supervisors of their respective townships, the assessors of their respective wards in cities, and the drafting commissioners of the several counties in this State, are hereby authorized and instructed to co-operate with the Adjutant General, in procuring the names and residences of all persons who have enlisted and been mustered into the service of the United States, or of this State, since the commencement of the present war, and such other information relating to such volunteers and their families, as the Adjutant General may from time to time require.

Mr. E. G. Morton moved to amend the resolution by inserting after the word "war," in the 8th line, the words "and that they be credited to the several counties where they actually resided, or in which they were enumerated as liable to military duty or draft."

Mr. Hemingway moved to amend the amendment by inserting after word "counties," the words "and townships;"

Which motion prevailed.

The amendment, as amended, was then adopted.

Mr. E. G. Morton moved to amend the resolution by inserting

after the word "State," in the seventh line, the words "in Michigan regiments or batteries;"

Which motion prevailed.

Mr. E. G. Morton moved to further amend the resolution by inserting between the words "commissioners" and "of," in third line, the words "and county clerks;"

Which motion prevailed.

The resolution, as amended, was then adopted.

GENERAL ORDER.

On motion of Mr. Winans,

The House went into committee of the whole on the general order,

Mr. Barnes in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to legalize and authorize the issuing of certain county bonds by the county of St. Clair;

2. A bill to amend section 4159 of the compiled laws;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

O. M. BARNES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bills were placed on the order of third reading.

On motion of Mr. Hemingway,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Wednesday, January 21, 1868.

House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Weatherby: preamble and resolution of the board of supervisors of the county of Branch, in relation to the office of judge of probate, and the fees thereof;

Referred to the committee on the judiciary.

By Mr. Cook: petition of the board of supervisors of Calhoun county, asking the Legislature to legalize the proceedings of the board of supervisors of said county, in the issuing of county bonds for the payment of soldiers' bounties;

On motion of Mr. Sweezey,

The petition was laid on the table.

By Mr. Parsons: petition of O. Eddy, F. Ackley, and some 50 others, citizens of the township of Shiawassee, Shiawassee county, for a grant of 2,000 acres of swamp land, to aid in draining a large and extensive marsh, in said township;

Referred to the committee on public lands.

By Mr. Buckley: petition of Abraham Frost, Geo. C. Ramsford, and 102 others, citizens of Bedford, Calhoun county, asking that a law may be passed, authorizing said township to raise money by taxation, to pay bounties to volunteers;

Also, petition of Lafayette Blakeslee, Caleb Manchester, and 21 others, citizens of Battle Creek, Calhoun county, for the same purpose;

On motion of Mr. Sweezey,

The petitions were laid on the table.

By Mr. Grosebeck: petition of John D. Sweetzer and 8 others, asking the enactment of a law exempting all members of the religious denomination known as New Menonites, from military service;

Referred to the committee on militia.

By Mr. Weatherby: resolution from the board of supervisors of the county of Branch, for the repeal of act No. 237, of the laws of Michigan for the year 1861, entitled an act to regulate proceedings in certain cases of nuisance;

On motion of Mr. Parsons,

The resolution was laid on the table.

By Mr. Parsons: petition of E. Eddy, John N. Ingersoll, E. O. Moore, and 16 others, citizens of Shiawassee county, for a general law to prevent the increase, and accomplish the destruction of Canada thistles throughout the State;

Referred to the committee on agriculture and manufactures.

REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of A. D. Simonson and others, for an act to vacate a certain street in the village of Birmingham, respectfully report that they have had the same under consideration, and are of the opinion that the prayer of said petitioners should not be granted. Article 4, section 23, of the constitution, declares that the Legislature shall pass no law to vacate nor alter any road laid out by commissioners of highways, or any street in any city or village, or in any recorded town plat; therefore your committee recommend that the petitioners have leave to withdraw their petition, and ask to be discharged from the further consideration of the same.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to legalize the tax roll of Huron township, county of Huron, for the year 1862, and to extend the time for the collection of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

On motion of Mr. Erskine,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the payment of unliquidated swamp land road contracts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petitions of J. D. Sickles and 74 others; also, of T. C. Abbott and others, praying for an appropriation of State swamp land, to enable them to build a State road from Lansing, by way of Langsburg, Ovid and Elsie, to intersect the Ithica and St. Charles State road, on the north line of town 10 north, range 1 west,

Have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not granted, for the reasons that other provisions have already been made to reclaim the same lands that the State road was designed to effect, and that the petitioners be permitted to withdraw their petition. All of which we most respectfully report, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in, and leave granted the petitioners to withdraw their petitions.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

STATE LAND OFFICE,
Lansing, January 21, 1863. }

HON. S. M. CUTCHEON, *Speaker of the House of Representatives*:

SIR:—In compliance with a resolution of the House, of the 15th inst., requesting certain information from this office, I beg to present the following statement:

1. The amount of land granted to this State since its first organization, as near as can now be determined by the records of this office, is 7,566,914.29 acres.

2. The amount of lands appropriated is 1,070,825.07 acres.

The purposes for which such appropriations were made, are as follows:

SALT SPRING LANDS.

Acres Appropriated.	Appropriated for.
16,000.00	Asylums.
16,000.00	Normal School.

INTERNAL IMPROVEMENT LAND.

5,000.00	St. Joseph river, act 41, 1843.
5,000.00	Flint river, act 30, 1844.
64,000.00	Central Railroad, act 50, 1844.
10,000.00	St. Joseph river, act 57, 1844.
6,000.00	Bridge in Kent county, act 58, 1844.
10,000.00	Jackson and Palmyra Railroad, act 14, 1845.
20,000.00	Central Railroad, act 15, 1845.
20,000.00	" act 67, 1846.
1,500.00	Southern Railroad, act 79, 1846.
3,000.00	Bridge across Cass river, at Bridgeport, act 106, '46.
2,000.00	Bridge across Grand river, at Lyons, act 145, 1846.
25,000.00	Grand Rapids canal, act 19, 1847.
7,000.00	St. Joseph river, act 66, 1847.

Acres Appropriated.	Appropriated for.
5,000.00	Clinton and Kalamazoo canal, act 93, 1847.
7,000.00	Holland Colony, in Allegan and Ottawa counties, act 32, 1848.
3,000.00	Bridge across, Muskegon river, and Newaygo road, act 40, 1848.
5,000.00	Flint free bridge, act 47, 1848.
2,500.00	Clinton river, act 49, 1848.
10,000.00	Detroit and Grand River road, act 75, 1848.
2,000.00	Detroit and Saginaw turnpike, act 76, 1848.
10,000.00	Paw Paw river, act 78, 1848.
4,000.00	Michigan and Allegan road, act 83, 1848.
2,000.00	Hastings and Battle Creek road, act 94, 1848.
7,000.00	Corrunna and Bad River road, act 95, 1848.
5,000.00	River Raisin, act 96, 1848.
6,000.00	Battle Creek and Michigan road, act 102, 1848.
3,000.00	Brighton, Fentonville and Flint road, act 103, 1848.
3,000.00	St. Joseph and LaGrange road, act, 132, 1848.
4,000.00	Road to Hopkins' Mills, and bridge and causeway at Grand Haven, act 133, 1848.
4,000.00	Kalamazo river, act 134, 1848.
3,000.00	Holland Colony in Saginaw and Tuscola counties, act 135, 1848.
7,000.00	Detroit and Grand River road, act 155, 1848.
7,500.00	Lapeer and St. Clair road, act 156, 1848.
2,000.00	Vixburg road, in Kalamazoo county, act 158, 1848.
4,000.00	Pontiac and Grand River road, act 159, 1848.
6,000.00	Roads in Clinton county, act 160, 1848.
5,000.00	Bridge and streets at Lansing, act 174, 1848.
3,000.00	Eaton Rapids and Michigan road, act 189, 1848.
7,000.00	Constantine and Paw Paw road, act 190, 1848.
2,000.00	Kalamazoo bridge, act 283, 1848.
10,000.00	Jackson and Michigan road, act 284, 1848.
20,000.00	Northern wagon road, act 285, 1848.
5,000.00	Branch county roads, act 286, 1848.
5,000.00	Hillsdale and Indiana road, act 287, 1848.

Acres
Appropriated.

Appropriated for.

3,000.00 Road from Lexington to Rogers' Mills, act 288, '48.
 2,000.00 Road from Albion to Eaton Rapids, act 289, 1848.
 3,000.00 Road from Mason to Dexter, act 290, 1848.
 5,000.00 Improvements in Lenawee county, act 291, 1848.
 1,000.00 Free bridge across Clinton river, act 292, 1848.
 1,600.00 Draw bridges across River Rouge, act 293, 1848.
 5,000.00 Metamora and Holland Colony road, and Cass river
 bridge, act 294, 1848.
 3,000.00 Bridges in Kent county, act 295, 1848.
 2,000.00 Watrousville and Lower Saginaw road, act 114, '55.
 5,000.00 Clarkston and Lower Saginaw road, act 148, 1857.

SWAMP LAND.

400,000.00 State roads, act 117, 1859.
 200,000.00 Levees and ditches, act 117, '59, and act 107, 1861.
 11,388.56 Improvement of mouth of Black river, act 168, '59.
 11,388.56 Primary School Fund, act 168, 1859.
 2,000.00 Draining swamp in Genesee county, act 168, 1861.
 25,000.00 German-American Seminary, act 175, 1861.
 9,447.95 State Agricultural College, act 188, 1861.
 2,500.00 State road in Mecosta and Oceana counties, 254, '61.

So far as the records of this office show, the appropriations were made in accordance with the several acts granting the same.

3d. The amount of the several grants remaining unappropriated, is 6,509,477.78 acres.

4th. The amount of swamp land granted, for which no patents have been received, is 458,384.13 acres.

Very respectfully yours,

SAM'L S. LACEY,

Commissioner.

On motion of Mr. Howell,

The communication was ordered printed.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,
Lansing, January 20, 1863. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolution:

Joint resolution for the relief of Robert W. Cummings,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 20, 1863. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend section 2, of chapter 40, of the revised statutes of 1846, being section 1433 of the compiled laws, in relation to the election of superintendents of the poor,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hemingway offered the following:

Resolved, That the judiciary committee of this House be authorized to employ a clerk, at a salary not exceeding three dollars per day, while actually employed;

Which was adopted.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill supplementary to an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855.

Mr. Burt offered the following:

Resolved, That the Auditor General be requested to place before the Legislature the reports of the several railroads, at his earliest convenience;

Which was adopted.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill to amend section 20 of an act entitled an act to authorize the formation of corporations for mining, smelting, or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other purposes.

Mr. Keeney, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Erin, and the township of Lasalle, in the county of Monroe.

The bill was read a first and second time by its title, and,

On motion of Mr. E. G. Morton,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallory,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thayer,
Thomas,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
White,
Wilson,
Winans,
Winsor,
Woodworth,

79

NAYS.

Mr. Aldrich,
Allen,
Barnes,
Buckley,
Denman,
Grinnell,

Mr. H. A. Hayden,
Hemingway,
Lockwood,
Piper,
Stewart,

Mr. Warner,
Wheeler,
Williams,
Woodman,
Speaker,

16

Title agreed to.

On motion of Mr. Toll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Mallory, previous notice having been given, and leave being granted, introduced

A bill to authorize the Mt. Clemens and Romeo plank road company to discontinue a portion of their road, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Pratt, previous notice having been given, and leave being granted, introduced

A bill to amend section 3900 of the compiled laws:

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Toll, previous notice having been given, and leave being granted, introduced

A bill to authorize the appointing of two commissioners of State roads in the county of Menominee.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Toll, previous notice having been given, and leave being granted, introduced

A bill to amend article 1119, being section 4, of chapter 26, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill providing for the collection of State, and county tax in the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Pendill, previous notice having been given, and leave being granted, introduced

A bill to confer certain forfeited land rights and privileges, upon the Marquette and Ontonagon railroad company.

The bill was read a first and second time by its title.

Mr. Howell moved to refer the bill to a select committee of five, to be appointed by the Speaker, consisting of three members of the House from the Upper Peninsula, and two from the Lower Peninsula;

Which motion prevailed.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to grant an appropriation on the Ellington and White Rock State road, running through Huron and Tuscola counties, and authorizing the Governor to appoint two commissioners—one for Huron and one for Tuscola county—to expend said appropriation for the construction of said road.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 17, entitled

A bill to legalize and authorize the issuing of certain county bonds, by the county of St. Clair,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallory,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Mr. Piper,
Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinham,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,

Fifield,
Fitch,
Fowle,

Mosher,
Parsons,
Pendill,

NAYS.

Woodman,
Woodworth,
Speaker, 90

0

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 18, entitled

A bill to amend section 4159 of the compiled laws,

Was read a third time; and,

Pending the taking of the vote on the passage thereof,

Mr. Woodworth asked the unanimous consent of the House to amend the bill by striking out the words "until due notice of such assignment shall have been given," in the 5th and 6th lines thereof; and also by striking out the words "and which accrued prior to such notice in such action," in the 6th and 7th lines;

Objected to by Mr. Lockwood.

On motion of Mr. Lockwood,

The bill was re-committed to the committee on the judiciary.

House bill, entitled

A bill to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes of said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnea,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapaton,

27

Mr. Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Garrett,
Gaylord,
Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,

Mr. Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,

Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,

Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Littlejohn,
Mallory,
McKernan,
McMartin,
J. O. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Thayer,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
White,
Wilson,
Winans,
Winsor,
Woodworth,
Speaker,

81

NAYS.

Mr. Allen,
Green,
Griswold,

Mr. Stewart,
Warner,

Mr. Wheeler,
Woodman,

7

Title agreed to.

On motion of Mr. Dow,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER OF THE DAY,

Being the consideration of the following resolution:

Resolved, That Henry Miller be admitted to the seat in this House, as Representative from district number one, of Oakland county, now occupied by Hon. John L. Donaldson,

The question being upon the adoption of the resolution.

On motion of Mr. Mason,

Mr. John Miller was excused from voting, or taking part in the action of the House, upon this question.

Mr. Eldridge moved that the resolution that Hon. Henry Miller be admitted to the seat now occupied by Hon. John N. Donaldson, member from the 1st Representative District of Oakland county, be re-committed to the committee on elections, with instructions to send for Jacob Bowers, the tally lists, poll lists, and ballot-box, and ballots cast in the township of Addi-

son, at the last election, and such other persons and papers as they may think necessary.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to re-commit did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Barnes,
Chapoton,
Clark,
Congdon,
Deare,
Eldridge,
Fifield,
Gaylord,
Grosebeck,

Mr. Harmon,
H. A. Hayden,
Henry Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallory,

Mr. McKernan,
E. G. Morton,
Pendill,
Pratt,
Sherman,
Abram Smith,
Tinharn,
Toll,
White,
Winans, 30

NAYS.

Mr. Abbott,
Aldrich,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Heminway,
Hood,
Howell,
Mason,
McMartin,
J. C. Miller,
H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,
Rankin,
Raymond,
Read,

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker, 65

On motion of Mr. Howell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock, P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Lockwood moved that the House adjourn;

Which motion did not prevail.

The question being upon the adoption of the following resolution:

Resolved, That Henry Miller be admitted to the seat in this House, as Representative from district number one, of Oakland county, now occupied by Hon. John N. Donaldson;

Mr. Warner moved to re-consider the vote by which the House refused to re-commit the resolution to the committee on elections, with certain instructions;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to re-consider did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Buell,
Chapoton,
Clark,
Congdon,
Deare,
Eldridge,
Fifield,
Gaylord,
Grosebeck,
Harmon,

Mr. H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallory,

Mr. McKernan,
E. G. Morton,
Pendill,
Abram Smith,
Stewart,
Tinham,
Toll,
Warner,
White,
Winans,

81

NAYS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Cobb,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Hemingway,
Howell,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Sweeney,
Thayer,
Thomas,

Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,

Mason,
McMartin,
J. C. Miller,
H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,
Rankin,
Raymond,

Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

61

Mr. Mason moved that the House adjourn;

Which motion did not prevail.

Mr. Howell asked to be excused from voting on the adoption of the resolution, having acted as counsel in the case.

On motion of Mr. Read,

Mr. Howell was excused from voting on the resolution.

Mr. Hemingway demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griewold,
Haze,
Hemingway,
Hood,
Howard,
Mallory,
Mason,
McMartin,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Abram Smith,
Stewart,
Sweeney,
Thayer,
Thomas,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,

Erskine,
Fellows,
Fitch,

Rankin,
Raymond,

Woodworth,
Speaker.

70

NAYS.

Mr. Barnes,
Chapoton,
Clark,
Congdon,
Deare,
Eldridge,
Fifield,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hodgkinson,
Jenison,
Keeney,

Mr. Littlejohn,
Lockwood,
McKernan,
Timham,
White,
Winans,

20

Mr. Read moved to reconsider the vote by which the resolution was adopted.

On motion of Mr. Howell,

The motion to reconsider was laid on the table.

Hon. Henry Miller, member elect from the 1st Representative District, of Oakland county, came forward, and after having subscribed and sworn to the constitutional oath, took his seat as a member of the Legislature of the State of Michigan.

The Speaker announced Messrs. Howell, Pendill, Sherman, Toll and Piper, as the special committee on House bill, entitled A bill to confer certain forfeited land rights and privileges upon the Marquette and Ontonagon railroad company.

On motion of Mr. Deare,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Thursday, January 22, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Cobb: petition of the trustees of Kalamazoo College, for an appropriation of swamp lands to endow the Kalamazoo, Albion, Hillsdale, Olivet and Adrian Colleges;

Referred to the committee on public lands.

By Mr. Littlejohn: petition of Timothy McDowell and 42

others, of the township of Casco, in the county of Allegan, asking a passage of the law to enable them to raise a volunteer fund, by levying a tax on the real and personal property in said township;

On motion of Mr. Raymond,

The petition was laid on the table.

By Mr. Betts: petition of E. J. Fish and others, asking for an appropriation of swamp lands for the benefit of colleges in this State;

Referred to the committee on public lands.

By Mr. Clark: petition of A. D. Kendrick and 18 others, of the county of Wayne, praying for an appropriation of swamp lands, for colleges in this State;

Referred to the committee on public lands.

By Mr. Buckley: memorial and resolutions of the township board of Emmett, Calhoun county, that the Legislature authorize the raising of a volunteer bounty tax, upon the property of said township;

On motion of Mr. Buckley,

The memorial was ordered printed in the journal, and laid on the table.

The following is the memorial:

To the Honorable the Senate and House of Representatives of the Commonwealth of Michigan:

The petition of the Township Board of the township of Emmett, county of Calhoun, and State of Michigan, respectfully sheweth, that,

Whereas, Our government is in the midst of a most gigantic rebellion, that threatens the subversion of our liberties and the destruction of our national existence;

And whereas, Michigan is a loyal State, and has given abundant evidence, in the alacrity and promptness with which she has responded to the different calls of the government for troops;

And whereas, The township of Emmett has pledged her fidel-

ity to the government, and the measures it may adopt, to put down the rebellion and restore peace to our now distracted and unhappy country, and for the purpose of promoting and encouraging enlistments, the citizens thereof did pledge themselves to pay a bounty of one hundred dollars to each volunteer who should enlist in the army of the United States, and be credited to the township of Emmett, since the 13th day of November, 1862; and for the purpose of obtaining a more full and definite expression of the tax-payers of said township of Emmett, a special township meeting was called, according to the statute made and provided for such cases, which meeting was held on the 16th day of December, A. D. 1862, when and where the following resolutions were unanimously passed and adopted:

Resolved, That the township board of the township of Emmett, be authorized to borrow, upon the credit of the township, at a rate of interest not to exceed ten per cent. per annum, a sum sufficient, when added to the amount already subscribed by individuals, shall not exceed twenty-five hundred dollars, for the purpose of creating a volunteer fund for said township;

Resolved, That we, the electors of the township of Emmett, do hereby authorize the township board of said township to petition the Legislature, at its next session, to pass an act making it the duty of the supervisor of said township to spread the amount of the volunteer fund, as aforesaid, as a tax upon the taxable property, real and personal, of said township, as soon as by said act he may be authorized so to do.

Now, therefore, we, the township board of Emmett, according to the expressed wishes and desires of a great majority of the tax-payers of said township, do hereby petition and humbly request that your honorable bodies will, at the present session of the Legislature, pass an act making it the duty of the supervisor of said township to spread a sum not to exceed twenty-five hundred dollars, as a tax upon the taxable property, real and personal, of said township, with the taxes for the year

1863, or as soon thereafter as he may be authorized so to do; and your petitioners will ever pray.

GEORGE W. MOORE,
L. VAN VALKENBURG,
JOHN A. SPAULDING,
JAMES NEWBRE,

Township Board of the Township of Emmett.

By Mr. Pendill: memorial of S. P. Ely and Lewis H. Morgan, in relation to the railroad interests of the Upper Peninsula;

On motion of Mr. E. G. Morton,

The memorial was referred to the special committee on the subject, and ordered printed in the journal.

The following is the memorial:

To the Honorable the Legislature of the State of Michigan:

The memorial of Samuel P. Ely and Lewis H. Morgan, two of the directors of the Bay de Noquet and Marquette railroad company, and of the Marquette and Ontonagon railroad company, which last company was incorporated January 2, 1863, respectfully represents:

That the first named company have now completed and in running order, twenty continuous miles of road from Marquette to the Iron Mines, and thence to the east branch of the Escanawba river. That in the year 1860 this road carried down from the Iron Mines to Marquette, upwards of 150,000 tons of iron ore; in the year 1861, 50,000 tons, which, owing to the general prostration of business, was all that was offered for transportation; and in the year just closed, about 150,000 tons, besides several thousand tons of pig iron manufactured by furnaces contiguous to the road. The rolling stock of the company is now equal to the transportation of 250,000 tons of ore each year during the season of navigation on the lakes. The company have expended upwards of \$700,000 in cash upon this road, its rolling stock, machine and car shops, foundry and other appurtenances. It has no floating debt, and no encumbrances upon it of any kind, except to its own stock-holders, and in its appointments it is in all respects a first class railroad

For further information concerning said road, your memorialists refer to the concluding part of a report now on file in the office of the Secretary of State, made by a committee appointed at the suggestion of the Governor of this State, to examine and report to him the condition of the first section of twenty miles of said road, preparatory to his certifying the fact of its completion to the Secretary of the Interior, pursuant to the provisions of the act of Congress.

They say: "Your committee have passed over the line of said road, from Marquette to the end of the first section of twenty miles, for the purpose of inspecting the same in pursuance of said appointment. For the measurement of the length of said section, your committee would refer to the certificate of Mr. L. K. Dorrance, the Chief Engineer of said road, hereto annexed, which they believe to be correct from personal observation, from which it appears that there is now actually completed, twenty miles and upwards of continuous track, commencing at Marquette and terminating near the east branch of the Escanawba river. From Marquette to the Lake Superior iron mines, a distance of sixteen miles and a fraction over, the road has been in successful operation for the last three years. The remainder of said twenty miles was graded last year, and the work of laying the rails has been completed the present season. It is laid throughout its entire extent with T rails, and is in all respects a first class railroad, thoroughly and substantially constructed, and fully equipped. It is provided also with well stocked machine and car shops, a foundry, and various fixed improvements to facilitate its business. Its rolling stock, which is capable of the transportation of twenty-five hundred tons a day, is more than equal to the demands of the business thus far offered to the road.

"Your committee feel no hesitation in reporting the first section of twenty miles as fully equal in its road bed and superstructure to the older railroads of the State.

"Your committee further say, and each for himself says,

that he has no pecuniary interest whatever in said road, and that he resides at Marquette.

"All which is respectfully submitted.

Signed:

JOSIAH PHELPS,
P. M. EVERETT,
M. L. HEWITT."

Endorsed:

"The within report is accepted and approved, Nov. 20, 1862.

AUSTIN BLAIR, *Gov'r.*"

That said first section of twenty miles has been officially accepted.

And your memorialists further represent, that neither of the other three railroad companies in the Upper Peninsula, which received grants of land, have found sufficient inducements to commence the construction of their respective roads, and that their several grants are now forfeited to the State by limitation of time, and by the express terms of the act of 1861. (Laws of 1861, p. 32.)

At the time the act of 1857 was passed, conferring a grant of land upon the Bay de Noquet and Marquette Railroad Company, the proprietors of this road were also proprietors of the Iron Mountain Railroad, which was then commenced. At that time six miles of track were laid from Marquette towards the iron mines, and iron sufficient for four additional miles had been purchased. The parties named were instrumental, with others, in procuring the passage of the act of Congress of June 3, 1856, granting these lands to the State. In 1858 the two interests were united by agreement, and the consolidation was afterwards, in 1859, confirmed by an act of the Legislature. Subsequent to the time the grant was obtained, and in view of this consolidation, the work of building the road was continued, and between 1857 and 1863, upwards of \$400,000 have been expended in the completion of the first section of twenty miles, and upon the rolling stock and other appurtenances of the road.

An examination of the map will show that a railroad from Bay de Noquet to the Iron Mines, and thence to L'Anse Bay

and Ontonagon, forms nearly a straight line, and is the most direct and only feasible route between these points. With the branch now constructed from the mines to Marquette, and an independent road from Ontonagon or Houghton, to Appleton, in Wisconsin, the Upper Peninsula will have all the railroad facilities it will need for many years to come. These routes are suggested and enforced by the natural features of the country, and any enterprise to open railroads on other or different routes, in the opinion of your memorialists, will result in failure, and their encouragement, by fictitious aid, will be detrimental to the true interests of the country. The passenger business, upon any route in the Upper Peninsula, does not furnish sufficient inducements for the construction of a railroad. They must depend chiefly upon the transportation of minerals and supplies.

And your memorialists further represent that the rise in the price of iron now furnishes inducements to establish furnaces in the iron and timber region, beyond the Lake Superior Mine, in the direction of L'Anse Bay, northward, and of Bay de Noquet, southward, which may not occur again in many years to come. That to encourage and secure their construction, it is necessary that railroad facilities should at once be extended in both directions, to encourage the investment of capital in furnace building. Unless the iron and timber region are thus speedily opened, the present opportunity will be lost, to the great hindrance of the material prosperity of the Upper Peninsula. The advance in the value of copper, and the rapid development of the resources and population of the Upper District, furnish, also, strong inducements to extend the road into that region.

The proprietors of the Bay de Noquet and Marquette railroad, are, they believe, the only parties in the country, in a condition to undertake the enterprise of opening the region named—with the encouragement here indicated, and with the grant of lands given by Congress to aid in the construction of a railroad from Marquette to Ontonagon—are now prepared to commence the immediate construction of a road from the

Iron Mines, on the route adopted by the old Marquette and Ontonagon Railway company, in the direction of L'Anse Bay and Ontonagon, and to complete the first section of twenty miles, within two years from the first day of July next. To do this, they have special advantages. In the first place they will save an expense of several hundred thousand dollars, and also the time necessary to construct a road from Marquette to the Iron Mines, which another company must meet before they reach the threshold of the iron region. In the second place, they have the facilities of the present railroad, to do the work; and lastly, they have a direct interest in opening the iron and copper regions, to increase the business of their present road. When twenty additional miles have been constructed, the interest and the ability of the company to extend it to the copper region, and to Bay de Noquet, will be proportionately increased.

The principal stockholders of the Bay de Noquet and Marquette Railroad Company, and their friends, have therefore organized as an independent company, the Marquette and Ontonagon Railroad Company, to carry forward this general plan, in which the two companies will act in concert and harmony; and they now respectfully ask your Honorable body to confer upon the said Marquette and Ontonagon Railroad Company, the lands, rights and privileges, given by Congress, to aid in the construction of this road, subject to the restrictions and requirements of the several acts in relation thereto.

All of which is respectfully submitted.

SAMUEL P. ELY,
LEWIS H. MORGAN.

Lansing, January 14, 1863.

REPORTS OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Joint resolutions on the state of the Union,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without recommendation, and ask to be discharged from the further consideration of the same.

W. T. HOWELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The joint resolutions were made the special order of to-day, at 11 o'clock, in connection with other resolutions on the same subject.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to extend the time for the collection of taxes in the township of Green Oak, in the county of Livingston, for the year 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Winans,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,

Chapoton,	Hodgkinson,	Aura Smith,
Clark,	Hood,	Stewart,
Cobb,	Howard,	Sweezey,
Combs,	Howell,	Thayer,
Congdon,	Jenison,	Thomas,
Cook,	Keeney,	Tinham,
Cowan,	Littlejohn,	Toll,
Crane,	Lockwood,	Voorhies,
Crego,	Mallory,	Welch,
Davis,	Mason,	Weatherby,
Deare,	McKernan,	Wheeler,
Dixon,	McMartin,	White,
Dockeray,	H. Miller,	Williams,
Dow,	J. C. Miller,	Wilson,
Eldridge,	John Miller,	Winans,
Erskine,	E. G. Morton,	Winsor,
Fellows,	H. C. Morton,	Woodman,
Fifield,	Mosher,	Woodworth,
Fitch,	Parsons,	Speaker,
Fowle,	Pendill,	95
	NAYS.	0

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend an act entitled an act for the protection of game in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill to the House, as a substitute, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend article 1119, being section 4, of chapter 20, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed House bill No. 18, entitled

A bill to amend section 4159 of the compiled laws,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 10, 13, 19 and 23, of chapter 79, of the revised statutes of 1846, being chapter 103 of the compiled laws, entitled "of the sale of real estate on execution."

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section one of an act to provide for the appointment of circuit court commissioners in case of vacancy, approved February 2, 1855, being section 3998 of the compiled laws.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending

that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 8, entitled

A bill to amend section 2, of chapter 40, of the revised statutes of 1846, being section 1433 of the compiled laws, in relation to the election of superintendents of the poor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to lay out and establish a State road in the county of Lapeer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and expenditures:

The committee on supplies and expenditures, to whom was referred the resolution requesting them to inquire into, and report as to the expediency of lighting this Hall with kerosene oil, respectfully report that they have had the same under consideration, and from all the information they have been able to obtain on the subject, have come to the conclusion that, although the general appearance of the hall would be very much improved, the expense of purchasing chandeliers, oil, &c., would, for the present session, exceed that of candles, and would not, in the opinion of the committee, wholly obviate the necessity for their use. The committee estimate that the whole expense of candles for the present session will not exceed the sum of one hundred and twenty dollars, and if the present session of the Legislature should be as protracted as the regular session of 1861, at least one-third of the time will have elapsed before chandeliers could be procured and put up, ready for use. The committee are not, therefore, prepared to make any recommendation on the subject;

All of which is respectfully submitted.

WILLIAM COOK, *Chairman.*

Report accepted and committee discharged.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER;
Lansing, January 21, 1868.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following bill:

A Bill to provide for the payment of the officers and members of the Legislature for the year 1868;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the

same to take immediate effect, a by vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 21, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to change the name of the Carlton Salt Manufacturing Company, to Empire Salt Company,

I the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January, 21, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following concurrent resolution:

Resolved by the Senate of the State of Michigan, (the House concurring,) That the Adjutant General, if in his power so to do, be requested to furnish to the Legislature, at his earliest convenience, a supplement to his "Annual Report," giving the casualties in battle, deaths by disease, sick in hospitals, discharged from service, and cause of such discharge, and such other information as he may deem of interest, of the private sol-

diers heretofore and now in the military service of the United States, from this State,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Winans,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 21, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following joint resolution:

Joint resolution instructing the Board of State Auditors to make a settlement with Thomas Sullivan,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 21, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolution:

Joint resolution to amend joint resolution No. 18, appropriating the tolls of the St. Mary's Falls ship canal to the payment of the amount due counties for taxes assessed on canal lands, approved March 11th, 1861,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rankin, by unanimous consent, presented a communication from the Ladies Soldiers' Aid Society, of Lansing.

On motion of Mr. Deare,

The communication was ordered printed in the journal.

The following is the communication:

At a meeting of the Ladies' Military Aid Society, held Wednesday night, the following resolution was unanimously adopted:

Resolved, That the Ladies' Military Aid Society, of Lansing, are deeply indebted to the members of the Legislature for kindly and patriotically granting them the use of their Halls on Wednesday evening, the 21st inst.; and the Society do hereby tender their sincere and heartfelt thanks for the favor conferred, in behalf, not only of themselves, but of our soldiers in the field and in hospitals.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill entitled an act to amend an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857;

Also,

A bill to provide for the incorporation of water power companies.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road in the counties

of Sanilac and Huron, and to improve the same with State swamp land.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to legalize the organization of the county of Delta, and to confirm proceedings under the same;

Also,

A bill to amend chapter 109, of the revised statutes of 1846, in relation to partition of lands, being chapter 135 of the compiled laws, by adding four new sections thereto.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend an act entitled an act disposing of certain grants of lands made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857, which amendatory act was approved February 12, 1861.

The bill was read a first and second time by its title, and referred to the special committee appointed upon a bill, upon the same subject, introduced yesterday.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill supplementary to an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 111 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

SPECIAL ORDER OF THE DAY,

Being the consideration of House joint resolutions, entitled Joint resolutions on the state of the Union.

On motion of Mr. Lockwood,

The House went into committee of the whole in consideration of the same,

Mr Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the State of the Union;

Have made some progress therein, but not having gone through therewith, report the same back to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman.*

Report accepted, and leave granted the committee to sit again.

Mr. Howell moved that the House take a recess until 2 o'clock this afternoon.

Mr. Barnes moved that the House adjourn;

Which motion did not prevail.

The question recurring upon the motion to take a recess until 2 o'clock this afternoon,

The motion prevailed.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : a quorum present.

On motion of Mr. Howell,

The House went into committee of the whole, on the special order,

- Being the consideration of joint resolutions, entitled
Joint resolutions on the state of the Union.

SPECIAL ORDER.

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union,

Have made some progress therein, but not having gone through thorewith, report the same back to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman.*

Report accepted.

On motion of Mr. Barnes,

Leave was granted the committee to sit again.

On motion of Mr. Howell,

The joint resolutions were made the special order of to-morrow at 11 o'clock.

On motion of Mr. Winans,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Friday, January 23, 1863.

House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Erskine, Fifield, John Miller, Pratt and Abram Smith.

Mr. Winsor asked and obtained leave of absence for Mr. Erskine for an indefinite time.

Mr. Warner asked and obtained leave of absence for Mr. Fifield for an indefinite time, on account of sickness.

Mr. Henry Miller asked and obtained leave of absence for Mr. John Miller until Tuesday 'next.

Mr. Mason asked and obtained leave of absence for Mr. Pratt for an indefinite time, on account of sickness.

Mr. Welch asked and obtained leave of absence for Mr. Spencer for an indefinite time, from and after to-morrow.

Mr. Toll asked and obtained leave of absence for Mr. Abram Smith until Tuesday next.

Mr. Swezey asked and obtained leave of absence for himself until Tuesday next, from and after to-day.

Mr. T. G. Smith asked and obtained leave of absence for Mr. Voorhies until Wednesday next.

PRESENTATION OF PETITIONS

By Mr. Deare: petition of James McFarlane, Amos Otis, Walter Henderson, James Shehan, and 190 others, tax-payers of Greenfield, Wayne Co., praying for a law to allow them to raise a sum not exceeding \$4000, for bounty purposes;

On motion of Mr. Deare,

The petition was laid on the table.

By Mr. Woodworth: memorial of Messrs. Woodhouse and Butler;

On motion of Mr. Barnes,

The memorial was referred to the committee on the Reform School.

By Mr. T. G. Smith: petition of Sampson Hatt, A. U. Wood, J. C. McDonald, and 43 others, citizens of Genesee county, praying for the enactment of a law prohibiting the killing of raccoons from the first day of April, to November first, each year, and the killing or trapping of any muskrat, except during the months of March and April, of each year.

By Mr. Sherman: petition of H. K. Sanger, Eber Ward, and 36 others, in favor of remitting the specific taxes to the counties of the Upper Peninsula, in which they arise;

On motion of Mr. Sherman,

The petition was ordered printed in the journal, and laid on the table.

The following is the petition:

To the Honorable the Senate and House of Representatives of the State of Michigan:

We the undersigned, citizens of the city of Detroit, do respectfully request that the amount of the special taxes charged to mining companies, upon copper and iron, be refunded the counties that produce the minerals, for the next five years—said

counties agreeing to expend the moneys received, on improvement of roads, &c.:

H. K. Sanger,
A. H. Dey,
McKenna & Radcliff,
C. P. Woodruff,
T. A. Parker,
Edward Orr,
Wm. Phelps & Co.,
Moore, Foote & Co.,
J. Aspinall & Son,
B. O. Grady,
Bissell & Gillett,
N. G. Williams,
Jno. Robertson,
J. Whiting,
B. Goodwin,
D. B. Dunham, Jr.,
F. L. Lasier,

Williams & Co.,
H. W. Newberry & Co.,
Eber Ward,
S. P. Brady & Co.,
Simon Mandlebaum,
B. Franklin Baker,
Chas. Ducharme,
O. H. Buhl,
Allan Sheldon,
G. W. Rose,
James M. Johnson,
S. P. Wilcox,
Stephens & Beatty,
G. & R. McMillan,
Evans, Walker & Co.,
Nevin & Mills,
B. W. King.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A joint resolution to provide for the amendment of article 4, section 47, of the constitution of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report that the judiciary committee have prepared a joint resolution, which is herewith reported, entitled

Joint resolution recommending a revision of the constitution of the State of Michigan,

And recommend its adoption as a substitute for the above and all other resolutions and petitions pertaining to this subject, and ask to be discharged from the further consideration of the subject.

S. THELUS PARSONS, Chairman.

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Stephen Greenman, praying for a law to authorize him to sell certain real estate in the city of Ann Arbor.

Respectfully report that they have had the same under consideration, and have directed me to report, that as section 23, of article 4, of the constitution of this State, provides that "the Legislature shall not authorize, by private or special law, the sale or conveyance of any real estate belonging to any person," they are of the opinion that the constitution prohibits the relief prayed for, and recommend that the petitioner have leave to withdraw his petition, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioner granted leave to withdraw his petition.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor,

A bill to provide for the payment of the officers and members of the Legislature, for the year 1863.

CHAS. BETTS, *Chairman.*

Report accepted.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Dixon offered the following:

Resolved, That the committee on the judiciary be requested to report a bill for the re-organization of the State into judicial

circuits, and to consider the propriety of embracing in the same an additional circuit;

Which was adopted.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce .

A bill to change the name of the First Congregational Society of Saginaw City, to First Presbyterian Society of the City of Saginaw.

Mr. Luther gave notice that on some future day he would ask leave to introduce

A bill authorizing the trustees of the First Congregational Church of Grand Haven to convey certain real estate.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road in the township of Holland.

Mr. Howard gave notice that on some future day he would ask ask leave to introduce

A bill to change the name of Helen Maria Hoffman.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to lay out a State road from Richmondville, in Huron county, to the head waters of Black river.

Mr. H. A. Hayden offered the following:

Resolved, That the use of this Hall be granted to George Francis Train, on or about the middle of February, for the purpose of delivering two lectures;

Which was not adopted.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to provide for the incorporation of water powers.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations:

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 109, of the revised statutes of 1846,

in relation to partition of lands, being chapter 135 of the compiled laws, by adding four new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to legalize the organization of the county of Delta, and to confirm proceedings under the same; and to extend the time for the collection of taxes therein.

Mr. White, previous notice having been given, and leave being granted; introduced

A bill to amend an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Luther, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road from Landon, via Storr's Mills, to Zealand, in Ottawa county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Bliss, previous notice having been given, and leave being granted, introduced

A bill to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Howell, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the Board of State Auditors to settle and adjust the claims of the State against the bail of John McKinney, late State Treasurer.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Orego, unanimous consent being given, introduced

A bill supplementary to an act entitled an act to provide for

The reclamation of swamp lands by means of State roads and ditches.

The bill was read a first and second time by its title, and referred to the committee on public lands.

GENERAL ORDER.

On motion of Mr. Toll,

The House went into committee of the whole on the general order,

Mr. Howell in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement, being chapter 130, of revised statutes of 1846,

Have made an amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

W. T. HOWELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mason,

The House concurred in the adoption of the amendment made by the committee.

The bill was then placed on the order of third reading.

SPECIAL ORDER.

On motion of Mr. Read,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, report the same back to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

SPECIAL ORDER OF THE DAY,

Being the consideration of House joint resolutions, entitled Joint resolutions on the state of the Union.

On motion of Mr. Hemingway,

The House went into committee of the whole, in consideration of the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

Joint resolution on the state of the Union;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

F. H. RANKIN, *Chairman*.

Report accepted.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The joint resolution, as amended, reads as follows:

JOINT RESOLUTION on the state of the Union.

Whereas, The present rebellion threatens the peace and perpetuity of the Union of the States, and requires the united efforts of all patriotic and loyal citizens to sustain the Administration, to restore a permanent and honorable peace to the whole country; therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That we will sustain the National Administration with all the means in our power, in all its efforts to quell the present rebellion, and restore peace to the Union;

Resolved, That we unreservedly approve the Proclamation of the President of the United States, issued on the first day of January, one thousand eight hundred and sixty-three, emancipating slaves in the insurgent States and districts of the Union, believing it to be an act of justice, warranted by the constitution upon military necessity.

Resolved, That while we lament the gallant dead who have given their lives for their country, and mourn over the appalling sacrifices of blood and treasure, which this war has already occasioned, we nevertheless rejoice that through the mad and guilty act of the Southern conspirators, that wicked and barbarous institution of African slavery will receive its death-blow; and, as lovers of humanity and christian civilization, we hail this great consummation with exceeding joy, not as a cause for the proclamation of the President, but as a beneficent consequence which must flow from it.

Resolved, That we are unalterably opposed to any terms of compromise or accommodation with the rebels, while under arms, and acting in hostility to the Government of the Union, and on this we express but one sentiment—unconditional submission, and obedience to the laws and Constitution of the Union;

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and joint resolutions to each of our

Senators and Representatives in Congress, and to the Governors of the several loyal States.

Mr. Lockwood moved to amend the joint resolution by striking out all after the enacting clause, and inserting the following:

That the present gigantic and nefarious rebellion is wholly without justifiable cause or pretext, and that the people of Michigan are ready to devote their time, their means and their lives, to every necessary extent, to bring the rebellious people to submission to the constitution and laws, and the restoration of the Union in its integrity;

Resolved, That we are in favor of a vigorous and energetic prosecution of the war, by the use of all means and measures justifiable by the laws and usages of civilized nations, until the rebels shall be willing to lay down their arms and submit to the government of their fathers' choice, which has always protected them and fostered their interests, and that we will not yield our assent to any dismemberment of the Union;

Resolved, That for the purpose of entire unity of purpose and action, among the people of the loyal States, in support of our national rulers in all honest endeavors to subdue the rebellion, we recommend to all our loyal citizens to lay aside their party differences and mere party strifes, and to present to the rebels an unbroken and united front of opposition to their mad and unholy schemes;

Resolved, That we feel a just and glowing pride in the glory which has been reflected on Michigan by the promptitude with which its citizen soldiers have rallied to the standard of the country, and by the noble gallantry on the battle-field, which has given them an undying fame;

Resolved, That the Governor of this State be requested to forward duly authenticated copies of the foregoing resolutions to our Senators and Representatives in Congress, and to the Governors of the loyal States.

Mr. E. G. Morton offered the following as a substitute for the joint resolution:

RESOLUTIONS on the state of the Union.

Whereas, A large portion of the citizens of this country, North and South, forgetting the enlarged national patriotism, and repudiating the teachings and warnings of the Fathers of the Republic, have been led, by appeals to local and sectional prejudice, to the avowal of sentiments, and the organization of parties, sectional in their character and tendency, and calculated to array one portion of the Union against the other, by which the people have become alienated in feeling;

And whereas, This sectionalism has produced the aggravated feeling in the public mind which has brought upon the country the present deplorable war, involving all classes in its consequences, and calling upon all loyal citizens to sustain the government in every legitimate and constitutional effort to suppress the rebellion, and give peace to the country;

And whereas, We cannot hope for peace, unity and prosperity, while harboring sentiments inimical to such peace, unity and prosperity, and which such sectional feeling and partizan organization produces; therefore

Resolved, by the House of Representatives, (the Senate concurring,) That this war, thus brought upon the nation, having its foundation in the sectional sentiments of partizan leaders to obtain political power, may be protracted to the mutual destruction of both sections, unless arrested by a return to the conciliating and patriotic views of the founders of the government, whose political philanthropy embraced the whole Union, with no North or South, East or West, but all the States, and all the sections of the country, without regard to local differences of opinion and institutions, it is our duty, divesting ourselves of the prejudices, the errors of the past have created, to proclaim to our loyal brethren of the South, and their excited neighbors, deceived and misled into the support of the rebellion by their sectional leaders, that our great object, in a determined and vigorous prosecution of the war, is the restoration of the Union and the preservation of the

constitution, with the rights of all the States under them as recognized by those who first organized the government;

Resolved, That with this end in view, while we accept the present condition of affairs as they are, acknowledging our duty to sustain the government and our armies in the field, with patriotic devotion, under the constitution and the laws, and to oppose the division of the Union under any and all circumstances, and the destruction of the constitution under any pretext, it is the duty of each section to commence the great work of restoring the union by self reform, by inculcating sentiments of peace, unity and good will, without which, union is impossible, and by the repeal of all local or State laws hostile in spirit or purpose to the Union and constitution;

• *Resolved*, That the numerous arrests, without complaint or process of law, caused by the President of the United States, of loyal citizens of loyal States, and the arbitrary suspension of the writ of *habeas corpus*, where courts are devoted to the Union and have ever been faithful to the constitution and laws, constitutes a most high-handed and daring assumption of power, which is without a parallel in the history of constitutional governments, and dangerous to the constitutional liberty of the American people; and that the long incarceration of citizens so arrested, in filthy and unhealthy forts and prisons, distant from their homes and friends, without examination or trial, constitutes a degree of remorseless cruelty, more befitting the character of a Turkish despot than a President of the American Republic;

Resolved, That the Emancipation Proclamation of the President, on the first of January, 1863, is unauthorized by the Constitution and laws of the land, and is, as a war measure, not only unwise, but in its natural tendency, of the most evil and pernicious consequences, being directly calculated, 1st. To forever alienate the loyal feelings of every Union man in the seceding States; 2d. To drive, ultimately, the border slave States out of the Union; 3d. To more effectually unite and exasperate the Southern people who are already arrayed in

arms against us, and thus procrastinate the bloody, intestine war that is now desolating the country, and destroying the lives of our people; and 4th. To incite insurrections and merciless massacres of innocent women and children by the blacks in the South;

Resolved, That the patriotic and gallant Michigan soldiers who voluntarily left their homes and friends for the tented field, in defense of their bleeding country—in defense of the constitution and Union—have covered themselves with imperishable glory, and that we shall ever point to their deeds of noble daring on the many bloody fields of battle, with the mingled feelings of national pride and prayerful gratitude;

Resolved, That copies of the foregoing preamble and resolutions be forwarded to our Senators and Representatives in Congress, and to the Governors of the several States, as an expression of our readiness to regard the rights of the people of all the States, as we recognize and regard our own, and our abhorrence of bloodshed between brethren of the same national family, to remedy real or imaginary evils, which can best be settled by compromise, and the councils of peace in the Union and under the constitution, for the preservation of which, with all the privileges they confer, the war is prosecuted by the loyal people of the country.

On motion of Mr. Lockwood,

The joint resolution was laid on the table for one week from Wednesday next.

On motion of Mr. Howell,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Saturday, January 24, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Cowan, Rankin, Weatherby and Wilson.

Mr. G. A. Smith asked and obtained leave of absence for Mr. Cowan, until Tuesday next.

Mr. T. G. Smith asked and obtained leave of absence for Mr. Rankin for an indefinite time, on account of sickness.

Mr. Howell asked and obtained leave of absence for Mr. Weatherby, until Monday next.

Mr. Hemingway asked and obtained leave of absence for Mr. Wilson, until Tuesday next.

PRESENTATION OF PETITIONS.

By Mr. Hemingway: petition of Silas Stone, David Mills, A. Bentley, and 33 others, citizens of Lapeer county, asking that a law be passed requiring that persons keeping horses for stock, be required to pay a license;

Referred to the committee on agriculture and manufactures.

By Mr. Pratt: resolutions of the mayor and common council of the city of Marshall, asking the passage of a law enabling said common council to assess the sum of \$6,000 upon the taxable property of said city, to pay a loan made of that amount to pay bounties to volunteers;

Referred to the committee on banks and incorporations.

By Mr. Pratt: petition of A. F. Bixby and 180 others, citizens of Lenawee county, for an alteration of the militia law, so that no officer shall be exempt from draft except judges of the supreme court, circuit courts, and courts of probate;

Referred to the committee on militia.

By Mr. H. A. Hayden: sworn statement of the president and secretary of the Jackson and Michigan plank road company, remonstrating against the repeal of the charter of said company;

Referred to the committee on banks and incorporations.

By Mr. Mason: petition of the collectors and aldermen of the city of Detroit, asking an extension of the time for the collection of State and county taxes in said city;

Referred to the committee on ways and means.

By Mr. Mason: petition of John Beard and others, asking for a law imposing a tax on dogs, and that the tax so raised be

appropriated to the payment of damages done by dogs in killing sheep;

Referred to the committee on agriculture and manufactures.

By Mr. Henry Hayden: petition of W. L. Sherman, C. C. C. Chillson, and others, citizens of Bay county, praying for a law to reimburse individuals for amounts paid by them to volunteer funds, by taxing the property of said county;

Referred to the committee on banks and incorporations.

By Mr. McKernan: petition of the board of supervisors of Keweenaw county, asking the passage of an act appropriating the specific taxes to aid in building roads and bridges in the Upper Peninsula;

On motion of Mr. McKernan,

The petition was laid on table.

By Mr. Buell: petition of Harrison Smith and others, composing the town board of the township of Holly, in the county of Oakland, praying for the enactment of a law to legalize the proceedings of a township meeting, held in said town, providing for the raising, by tax, of a volunteer township bounty fund, of \$3,200, to pay volunteers;

On motion of Mr. Buckley,

The petition was laid on the table.

By Mr. Buell: remonstrance of John Fagan and 86 others, citizens of the township of Holly, Oakland county, against raising a bounty fund in said township by taxation;

On motion of Mr. Hemingway,

The remonstrance was laid on the table.

By Mr. Welch: petition of H. Bartow and others, that the Commissioner of the State Land Office be authorized to deed certain swamp land to Cynthia Joslin;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to legalize the organization of the county of Delta, and

to confirm the proceedings under the same, and to extend the time for the collection of the taxes therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The House concurred in the amendment made by the committee.

On motion of Mr. Lockwood,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,

Mr. E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Pratt,
Raymond,
Read,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Tinham,
Toll,
Warner,
Welch,
Wheeler,

Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,

Luther,
Mallory,
McKernan,
McMartin,
H. Miller,
J. C. Miller,

White,
Williams,
Winans,
Winsor,
Woodman,
Speaker,

81

NAYS.

0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed House bill No. 7, being

A bill to amend section 872 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

By the committee on the judiciary:

The committee on the judiciary, having had under consideration the existing laws in relation to the compensation of circuit judges, and the district judge of the Upper Peninsula, have directed me to report the accompanying bill, entitled.

A bill to provide for the payment of the expenses of circuit judges, and the district judge of the Upper Peninsula,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered

printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of G. and C. Merriam for the payment of amount due them for Webster's dictionary, furnished for the common schools of this State, have had the same under consideration, and instruct me to make the following report:

By the provisions of act No. one hundred and seventy-five, session laws of 1857, the Superintendent of Public Instruction was authorized to purchase Webster's dictionary for each school district in this State, and to make his certificate of the number so purchased, and the amount due therefor; and on such certificate, the Auditor General was authorized to draw his warrant on the State Treasurer for the amount named in such certificate, and the Treasurer was directed to pay the same out of the moneys collected by the districts, and paid into the treasury for that purpose. Agreeable to the provisions of the act aforesaid, the Superintendent (Hon. Ira Mayhew) drew his order on said Merriam, in December, 1857, for 2,000 copies of said dictionary, at \$4 each, which were duly received, and by order of the Superintendent, deposited with Messrs. Doughty & Straw, in the city of Detroit.

Payments were made to said Merriams, at sundry times, amounting to.....	\$6,400 91
And 260 dictionaries returned at \$4,.....	1,040 00

Leaving a balance due them of.....	\$559 09
------------------------------------	----------

It also appears that there is due Messrs. Doughty & Straw about \$144, for payment made by them for one box, containing 36 dictionaries, which were delivered to the districts, and that this sum also remains unpaid.

As the act of 1857 made no provision for paying the amount due for said books, except from the funds received from the school districts for that purpose, and many of them failing to levy and collect a tax, or to pay over the same, if collected, to

the State Treasurer, there was no funds on hand from which the amount due could be lawfully paid.

As the dictionaries were furnished with the assurance that the payment would be made in good faith, your committee are of opinion that the same should be provided for promptly, and not allow the credit of the State to suffer by delaying any longer the payment of so just a claim.

We therefore recommend that the Board of State Auditors be authorized and instructed to examine, audit and allow, so much as they shall find due said Merriams, on the dictionaries so furnished, and also the amount due said Doughty & Straw, for the amount paid by them, and herewith report a joint resolution, entitled

Joint resolution authorizing the Board of State Auditors to audit and allow the claims of G. & C. Merriam, and Doughty & Straw,

With the recommendation that the same do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLEORY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bliss,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred
A bill to lay out and establish a State road from Lamont, via
Storr's mill, to Zealand, in Ottawa county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill supplementary to an act entitled an act to provide for the reclamation of swamp land, by means of State roads and ditches,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of Sampson Hall, A. U. Wood, and 44 other citizens of

Genesee county, praying for the enactment of a law prohibiting the killing of raccoon from the first day of April to the first day of November, and the killing or trapping of muskrats except during the months of March and April,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not granted, and that they have leave to withdraw the same, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the majority of the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to repeal an act entitled an act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Would respectfully report that they have had the subject under consideration, and find, upon examination, that the design of this bill is to repeal the law commonly known as the Maine Liquor Law, which, as it now stands upon our statutes, is amendatory of a law passed by the Legislature of 1858, and was referred to the electors of the State, and ratified by them with great unanimity in the month of June following.

That although the law in some parts of the State has not been so fully observed and maintained as designed, yet, in the opinion of a majority of your committee, it has had nevertheless a powerful influence in restraining and limiting the sale of intoxicating drinks throughout the State. In many places, public sentiment and the love of law and order have been sufficient to maintain it inviolate; in other places, although the sale has not been entirely restricted, yet, under the influence of the law, the

manufacture and sale has been prescribed and restrained to certain limits.

If these restraining influences which are thrown around the sale of liquors are removed, we shall open the flood-gates of intemperance, debauchery and crime, and fill our prisons, jails and poor-houses to repletion, and in communities where new order, thrift, industry, morality and temperance prevail, intemperance, indolence, poverty and vice would reign supreme.

Again, the people of this State have not asked this Legislature, either by petition or convention, for the repeal of this law, and in the opinion of your committee, would not be in favor of its repeal, unless some salutary law was passed, to take its place.

For these reasons, and others which might be given, the undersigned, a majority of your committee, after a full consideration of the subject, would report this bill back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

G. E. READ,

GEORGE Y. COWAN,

H. RAYMOND,

Majority of Committee.

Report accepted, and leave granted the minority of the committee to report.

By the minority of the committee on State affairs:

The minority of your committee, to whom was referred

A bill to repeal chapter 52 of the compiled laws, and all acts amendatory of the same, being a law to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Have, upon consideration of the same, disagreed with a majority of said committee in regard to the merits of said bill for the consideration of this House, and would therefore recommend that said bill be ordered printed, and placed upon the general order, for the purpose of having the same considered in the committee of the whole, for the following reasons:

1st, Because said law which it is designed to repeal, has not

accomplished the end for which it was created; neither can it, which has been clearly demonstrated in other States as well as this;

2d. Because public sentiment does not support it; therefore the public take no interest in enforcing it;

3d. Because those public officers whose duty the law makes it to enforce, under the obligations of an official oath, either neglect or refuse so to do;

4th. Because it is a stumbling block in the way of measures which would more effectually guard against the evils which said law was designed to crush, but has proved itself totally inadequate to the task.

All of which we respectfully submit.

R. WINSOR,

P. O. LITTLEJOHN,

Minority of Committee.

Report accepted.

On motion of Mr. Hemingway,

The bill was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

AUDITOR GENERAL'S OFFICE, }
Lansing, January 24, 1863. }

Hon. S. M. CATCHERON, *Speaker of the House of Representatives:*

SIR—In compliance with a resolution of the House of the 21st inst., requesting me "to place before the Legislature the reports of the several railroads," I herewith present copies of all the reports of railroad companies received by me for the year 1862, being the reports of the Bay de Noquet and Marquette R. R. Co., and of the Mich. Southern and Northern Ind. R. R. Co. The last named report was directed to the Secretary of State, and handed over to me yesterday.

Very respectfully,

E. ANNEKE,

Auditor General.

On motion of Mr. Howell,

The reports accompanying the communication were ordered printed.

The following are the reports:

OFFICE OF M. S. & N. I. R. R. Co., }
Toledo, Ohio, Jan. 6, 1863. }

To the Hon. the Secretary of State of Michigan:

The Michigan Southern & Northern Indiana Railroad Company, in conformity with the requirements of the act entitled an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company, approved May 9, 1846, and the act amendatory thereto, approved March 28, 1850, and of the act entitled an act to authorize the Michigan Southern Railroad Company to consolidate with the Northern Indiana Railroad Company, approved Feb. 18, 1855, respectfully submit the following report for the preceding year, to the first day of December, 1862:

1st. The length of their roads and branches, in operation in the States of Michigan, Ohio, Indiana and Illinois, is 441 miles; besides which they operate the leased lines of the Erie and Kalamazoo Railroad, and of the Detroit, Monroe and Toledo Railroad, and use in common with the Detroit and Milwaukee Railroad Company, three miles of their track at the Detroit terminus; in all 85 miles additional.

2d. The cost of construction of their consolidated lines, as per construction account on the books of the Company, at close of last fiscal year, was \$13,616,404 80.

3d. The indebtedness on account of construction—none.

4th. Other indebtedness is as follows: Funded debt, \$9,608,063, (including \$791,568 of D. M. & T. R. R. bonds, and \$236,000 E. & K. R. R. bonds, guaranteed;) floating debt, \$424,116 16; total, \$10,032,179 16.

5th. The amount of capital stock subscribed (outstanding) is \$9,018,200.

6th. The amount actually paid in is \$9,018,200.

7th. The loans made for the purpose of constructing the railroads of the consolidated company, or purchasing, construct-

ing, chartering or hiring steamboats, amount, as heretofore reported, to \$7,653,000.

8th. Dividend last year—none.

9th. The receipts from freight were \$1,666,937 54; from passengers, \$796,378 49; from all other sources on operating account, \$92,139 27.

10th. The number of through passengers was 61,749; of way passengers, 298,173½.

11th. The expenditures for repairs of road were \$329,678 56; repairs of engines and cars, \$209,360 06; other operating expenses, \$671,649 36; expenditures for construction, \$14,594 21.

12th. Number of engines, 83; passenger cars, 82; freight cars, 1,160; other cars, 51.

13th. Average number of men employed last year, about 1,750.

14th. The number of miles run by passenger trains was 659,001; by freight trains, 1,144,038; by other trains, 184,355.

15th. Under the third section of the consolidation act, they report that the portion of their capital stock and loans actually employed in the State of Michigan, is \$3,612,255 27; but if there is included the \$300,000 of nominal capital never paid in, and a like amount advanced to another railroad company and not refunded, and expenditures on steamers, and other losses, on which, by the decision of the Supreme Court of Michigan, they are however held liable to taxation, as well as on the above amount actually paid in and expended in that State, the amount on which the company will be liable to the specific State tax of three-fourths of one per cent., will be \$4,739,240 16, viz:

On capital stock paid in or issued prior to consol-

idation,\$2,625,600 00

On proceeds of bonds issued prior to consolidation, 2,064,540 16

On capital expended in Mich. since consolidation, 49,100 00

\$4,739,240 16

M. L. SYKES, Jr.,

P. MOREHOUS,

Directors.

STATE OF OHIO, }
 Lucas County, } ss.

Be it remembered that on this 6th day of January, 1863, personally appeared before me, Martin L. Sykes, Jr., and Philo Morehous, and having been duly sworn by me, depose and say, that the foregoing statement, by them signed as directors, is true and correct, according to the best of their knowledge and belief.

MARTIN L. SYKES, JR.,
 P. MOREHOUS.

Sworn to and subscribed this 6th day of January, A. D. 1863,
 before me,

[L. S.]

RICH'D WAITE,

Commissioner for the State of Ohio, appointed by the Governor of the State of Michigan to administer oaths and affirmations, and to take acknowledgment of deeds, &c.

OFFICE OF THE BAY DE NOQUET AND MARQUETTE R. R. CO., }
 Marquette, Lake Superior, Mich., Dec. 31, 1862. }

To the Auditor General of the State of Michigan:

The following is the annual report of this company, required by law to be made to you, for the year ending at this date. The length of the line is 77 miles, of which the first 20 miles from Marquette, are completed:

1st. The capital stock of the company is.....	\$1,500,000 00
" amount actually paid in,.....	442,000 00
2d. The am't expended for the purchase of land is	10,800 00
" " " construction of road,.	502,676 24
" " " buildings, is.....	18,620 00
" " " engines and cars;.....	116,808 16
3d. The indebtedness of the company is, for its 7	
per cent. mortgage bonds,.....	200,000 00
For miscellaneous floating debt,.....	40,804 81
The amounts due the corporation are.....	47,664 58
4th. The am't received for transportation of pas-	
sengers, is.....	2,033 95

The amount received for the transportation of
property, \$144,181 56

The amount received from all other sources, 93 04

5th The amount of freight carried is—

Tons of iron ore, 149,758

“ pig iron, 5,570

“ merchandize, 2,234

6th. The amount paid for repairs, engines, cars,

buildings and salaries, is 88,780 45

7th. No dividend has been paid this year.

8th. The number of engine houses and shops is 16.

The number of engines is 4. They are of the first class,
weighing 26 to 27 tons each.

The number of cars is as follows: 319 four-wheeled ore cars;
1 passenger car, eight-wheeled; 1 platform car, eight-wheeled;
6 gravel cars; 4 small cars.

9th. This road being almost exclusively a freight road, runs
no passenger trains as such; a passenger car is attached to the
freight trains.

Number of miles run by freight trains, 28,700

“ “ “ repair and constauction trains, 15,161

10th. The average number of men employed is 85, as follows:
engineers and machinists, 10; carpenters, 4; blacksmiths, 6;
foundry men, 3; conductors, 3; brakemen, 15; laborers, 44.

11th. But one injury to life or limb. In this case the party
was a laborer on a construction train, who fell between the cars
through his own carelessness, and was instantly killed.

12th. No accidents have arisen from the carelessness or neg-
ligence of any person in the employment of the corporation.

Very respectfully, your ob't serv't,

SAMUEL P. ELY,

Managing Director Bay de N. & M. R. R. Co.

Subscribed and sworn to before me, the day and year above
written.

WALTER FINNEY,

Justice of the Peace.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 22, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to extend the time for the collection of taxes in the township of Erin, in the county of Macomb, for the year 1862;

2. A bill to extend the time for the collection of taxes, for the year 1862, in the township of Handy, in the county of Livingston;

3. A bill to extend the time for the collection of taxes for the year 1862, in the township of Oshtemo, in the county of Kalamazoo;

4. A bill to legalize the tax roll of the township of California, in the county of Branch, for the year 1862, and to extend the time for the collection thereof;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

I am also instructed by the Senate to transmit to the House the accompanying certificates of the township board of said township of California, relating to said last named bill.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and,

On motion of Mr. Eldridge,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill to extend the time for the collection of taxes in the township of Erin, in the county of Macomb, for the year 1862,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Read,
Sherman,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Thayer,
Thomas,

Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fitch,

Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
McMartin,
H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,

Tinham,
Toll,
Warner,
Walch,
Wheeler,
Williams,
Winans,
Winsor,
Woodman,
Speaker,

78

NAYS.

Mr. Stewart,

Title agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Harmon,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill to extend the time for the collection of taxes for the year 1862, in the township of Handy, in the county of Livingston,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,

Mr. H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Raymond,
Slatter,
Sprague,
G. A. Smith,
T. G. Smith,

Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,

Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,

Aura Smith,
Stewart,
Thayer,
Thomas,
Tinham,
Toll,
Warner,
Welch,
Wheeler,
White,
Winans,
Winsor,
Speaker,

78

NAYS.

0

Title agreed to.

On motion of Mr. Winans,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The third named bill was read a first and second time by its title, and,

On motion of Mr. Read,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill to extend the time for the collection of taxes, for the year 1862, in the township of Oshtemo, in the county of Kalamazoo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,

Mr. E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Raymond,
Read,
Slafter,
Sprague,

Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldridge,
Fellows,
Fitch,

Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,
H. Miller,
J. C. Miller,

G. A. Smith,
T. G. Smith,
Aura Smith,
Thayer,
Thomas,
Tinham,
Toll,
Warner,
Welch,
Wheeler,
White,
Winans,
Speaker,

74

NAYS.

Mr. Stewart,

Mr. Woodman.

2

Title agreed to.

On motion of Mr. Cobb,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The fourth named bill was read a first and second time by its title, and referred to the committee on ways and means, together with the papers accompanying said bill.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 22, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend an act entitled an act to amend sections 11 and 127, of chapter 116 of the compiled laws, relative to security of costs in justices' courts,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to extend the time for the collection of taxes in the township of Erie and the township of Lasalle, in the county of Monroe,

Which the Senate has amended by inserting after the word "Lasalle," in the title, and in section 1, the words, "Raisinville, and the first, second and third wards of Monroe city;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Howell moved to amend the amendment made to the bill by the Senate, by adding thereto the words "Frenchtown and Ash;"

Which motion prevailed.

The amendment, as amended, was then concurred in, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Chapoton,
Clark,
Cobb,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,

Mr. McMartin,
H. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Raymond,
Read,
Slafter,
Sprague,

Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,

Flaze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallory,
McKernan,

G. A. Smith,
T. G. Smith,
Aura Smith,
Thayer,
Thomas,
Toll,
Warner,
Welch,
White,
Winans,
Woodman,
Speaker, 72

NAYS.

Mr. Stewart,

Mr. Winsor,

2

Mr. E. G. Morton then offered the following as a substitute for the title of the bill:

A bill to extend the time for the collection of taxes in certain townships and wards in the county of Monroe;

Which was adopted.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, January 23, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to extend the time for the collection of taxes in the township of 'Green Oak,' in the county of Livingston, for the year 1862,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Pendill, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax rolls of the several townships in the county of Marquette, and the territory thereto attached, for the year 1862, and to extend the time, and authorize the collection of the same, in the county of Bleeker.

The bill was read a first and second time by its title, and,

On motion of Mr. E. G. Morton,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
McMartin,
H. Miller,

Mr. H. C. Morton,
Mosher,
Parsons,
Pendill,
Porter,
Pratt,
Raymond,
Read,
Sherman,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinharn,
Toll,
Warner,
Welch,
Wheeler,
White,
Williams,
Winans,
Winsor,

Fitch,
Fowle,

J. C. Miller,
E. G. Morton,
NAYS.

Woodman,
Speaker, 84
0

Title agreed to.

On motion of Mr. E. G. Morton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Green, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes for the year 1862, in the township of Seneca, in the county of Lenawee.

The bill was read a first and second time by its title, and,

On motion of Mr. Green,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Lockwood,
Luther,
Mallory,
McKernan,

Mr. H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,
Porter,
Raymond,
Read,
Slafter,
Sprague,
G. A. Smith,
Aura Smith,
Thayer,
Thomas,
Tinham,
Toll,
Warner,
Wheeler,
White,
Winans,
Speaker,

NAYS.

Mr. Stewart,

Mr. Woodman,

2

Title agreed to.

On motion of Mr. Combs,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hemingway, unanimous consent being given, introduced A bill to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862.

The bill was read a first and second time by its title.

Mr. Hemingway moved that the rules be suspended, and that the bill be put upon its immediate passage;

Pending which,

Mr. Read moved that there be a call of the House;

Which motion did not prevail.

The motion to suspend the rules, and to put the bill upon its immediate passage, prevailed.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Davis moved that the bill be committed to the committee on the judiciary;

Which motion did not prevail.

The bill was then read a third time, and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,

Barnes,

Bentley,

Betts,

Bliss,

Bowen,

Buckley,

Burt,

Chapoton,

Cobb,

Cook,

Dow,

Mr. Gargett,

Gaylord,

Griswold,

Grosebeck,

Harmon,

Henry Hayden,

Haze,

Heminway,

Hood,

Howard,

Keeney,

Littlejohn,

Mr. McMartin,

H. Miller,

E. G. Morton,

H. C. Morton,

Pendill,

Piper,

Porter,

Sprague,

T. G. Smith,

Aura Smith,

Thayer,

Welch,

Fitch,
Freeman,

Mason,
McKernan,

Winans,
Winsor,

42

NAYS.

Mr. Abbott,
Allen,
Beakes,
Buell,
Clark,
Congdon,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Mr. Eldridge,
Fellows,
Fowle,
H. A. Hayden,
Hodgkinson,
Howell,
Jenison,
Lockwood,
Luther,
Mallory,
J. C. Miller,
Mosher,
Parsons,

Mr. Pratt,
Raymond,
Read,
Sherman,
Slafter,
Stewart,
Thomas,
Warner,
Wheeler,
White,
Williams,
Woodman,
Speaker,

39

Pending the announcement of the vote,

Mr. Buckley moved that Mr. Thomas be excused from voting;

Which motion did not prevail.

Mr. Thomas then voted as recorded above.

Mr. Read moved that Mr. Bliss be excused from voting;

Which motion did not prevail.

Mr. Bliss then voted as recorded above.

On motion of Mr. Lockwood,

The vote by which the House refused to pass the bill, was re-considered.

On motion of Mr. Hemingway,

The bill was referred to the committee on ways and means.

Mr. Deare, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Greenfield, in the county of Wayne, for the year 1862.

The bill was read a first and second time by its title, and,

On motion of Mr. Deare,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hemingway moved that the bill be referred to the committee on ways and means;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,

Mr. McKernan,
McMartin,
H. Miller,
J. G. Miller,
E. G. Marton,
H. C. Morton,
Mosher,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Reed,
Slafter,
Sprague,
T. G. Smith,
Aura Smith,
Thayer,
Thomas,
Tinham,
Warner,
Welch,
Winans,
Winsor,
Speaker,

78

NAYS.

Mr. Parsons,
Wheeler,

Mr. Stewart,

Mr. Woodman,

4

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to amend section 6, of act No. 59, of the session laws of 1853.

Mr. Howell gave notice that on some future day he would ask leave to introduce

A bill to increase the rates of legal advertisements.

Mr. Read offered the following:

Resolved, That the committee on printing be instructed to cause to be printed 1,000 copies of the Report of the Board of Trustees of the Asylum for the Insane, for the years 1861 and 1862, for the use of the members and officers of this House;

Which was adopted.

Mr. Crego offered the following:

Resolved, That the Firemen be instructed to take charge of the journal and documents of the House, and see that they are properly distributed among the members and officers of the same;

Which was adopted.

Mr. Warner offered the following:

CONCURRENT RESOLUTION on the state of the Union.

Whereas, Several millions of traitors and parricides, in the so-called Confederate States, are waging an organized and persistent rebellion against the government of these United States, with the fixed intention to overthrow it, and crush forever the hopes of free institutions on American soil;

And whereas, This rebellion, although wholly without justifiable cause, or even any plausible pretext, has, nevertheless, already assumed a magnitude and atrocity unparalleled in the history of mankind, and fearfully threatens the existence of the nation; therefore,

Resolved, (the Senate concurring,) That we believe it to be the imperious duty of the war power to use against the rebels, with the utmost diligence and vigor, all the means and agencies which law and usage may warrant, occupying their country, quartering on them, taking away and freeing their slaves, and availing itself of their services, stripping them of property and the means of influence and mischief as enemies, and smiting them, hip and thigh, from one end of rebeldom to the other, relaxing and increasing the degrees of rigor as the best success

of the loyal cause shall require, until rebellion shall be coerced to submission, and civil authority restored;

Resolved, That we have confidence in the integrity and elevated patriotism of the President of these United States; that we believe he earnestly intends to promote, as far as in him lies, the best interests of the nation in all his purposes and acts, and that we recognize it to be the duty of the war-power, of which he is the constituted head, to select the agents and prescribe the mode and policy for carrying on the war, as shifting necessities shall demand, and without infringing the constitution, or the established usages of civilized nations;

Resolved, That we heartily acquiesce in the wisdom of our fathers, which devolved the exercise of the high duties and responsibilities above referred to exclusively on the war power; and while it is incumbent on all loyal citizens to hold that power to a just accountability for the manner in which it shall discharge these momentous trusts, we hereby pledge ourselves, and the people of the State, that, holding our individual judgments and party preferences in due subordination, and refraining from all factious assaults on our national rulers, ourselves, and frowning on all such assaults by others, we, as one great loyal brotherhood, will rally around them, and, in their capacity as the government, render them our unfaltering support in the exercise of all the powers given them for the suppression of the rebellion, the maintenance of the constitution, and the restoration of public tranquility;

Resolved, That while we lament the gallant dead, who have given their lives to their country, and mourn over the appalling sacrifices of blood and treasure which this war has already occasioned, nevertheless, it is the privilege of all loyal people to rejoice in the hope that a superintending Providence will so overrule the convulsions of the hour, as to give African slavery, on this continent, its death blow;

Resolved, That we feel a just and glowing pride in the honor which has been reflected on Michigan, by the promptitude with

which its citizen soldiers have rallied to the standard of the country, and by the noble gallantry on the battle-field, which has given them an undying fame;

Resolved, That the Governor be requested to forward duly authenticated copies of the foregoing preamble and resolutions to our Senators and Representatives in Congress, and to each of the Governors of the loyal States.

On motion of Mr. Warner,

The resolution was laid on the table for one week from next Wednesday.

Mr. H. Miller offered the following:

Resolved, That the ladies of the Universalist Society, of Lansing, be allowed the use of this Hall on Thursday evening next, for the purpose of holding a festival for the benefit of said society.

Mr. Lockwood demanded the yeas and nays on the adoption of the resolution;

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Barnes,
Bentley,
Betts,
Bliss,
Buckley,
Buell,
Chapoton,
Clark,
Congdon,
Crane,
Davis,
Deare,
Dow,
Fellows,
Fitch,
Fowle,
Freeman,

Mr. Gaylord,
Green,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hodgkinson,
Howell,
Jenison,
Keeney,
Littlejohn,
Mason,
H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Pendill,

Mr. Piper,
Pratt,
Raymond,
Sherman,
Slafter,
Sprague,
T. G. Smith,
Stewart,
Thayer,
Thomas,
Tinharn,
Welch,
Wheeler,
White,
Winans,
Winsor,
Speaker,

52

NAYS.

Mr. Abbott,
Aldrich,

Mr. Dockeray,
Eldridge,

Mr. McKernan,
McMartin,

Beakes,
Bowen,
Cobb,
Combs,
Cook,
Crego,
Denman,
Dixon,

Gargett,
Grinnell,
Haze,
Hemingway,
Hood,
Lockwood,
Luther,
Mallory,

Parsons,
Read,
G. A. Smith,
Toll,
Warner,
Williams,
Woodworth,

29

Pending the announcement of the vote,

Mr. Buckley moved that Mr. Abbott be excused from voting;
Which motion did not prevail.

Mr. Abbott then voted as recorded above.

Mr. Howell gave notice that on some future day he would ask leave to introduce

A bill to amend "An act incorporating insurance companies, and defining their powers and duties," approved February 15, 1859.

Mr. E. G. Morton moved that the committee on ways and means be instructed to report back to the House forthwith, House bill, entitled

A bill to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862;

Which motion prevailed.

By unanimous consent, the committee on ways and means submitted the following report:

The committee on ways and means, to whom was referred

A bill to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Hemingway,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betta,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
McMartin,

Mr. H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Pratt,
Raymond,
Read,
Sherman,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Thayer,
Thomas,
Tinharn,
Tall,
Warner,
Welch,
Wheeler,
White,
Winans,
Winsor,
Speaker,

79.

NAYS.

Mr. Stewart,

Mr. Woodman,

2.

Title agreed to.

On motion of Mr. Dow,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Davis offered the following:

Resolved, That for the purpose of supplying the State Library with some of the standard works, often called for, but not to be found therein, the committee on State Library be requested to examine and report to this House, the works necessary to be supplied, and the means required therefor;

Which was adopted.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road, commencing on the west line of section 19, in township 5 north, of range 15 west, in the county of Ottawa, to Scholte's bridge, in said township.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Luther, previous notice having been given, and leave being granted, introduced

A bill to authorize the trustees of the First Congregational Church at Grand Haven, to convey certain real estate.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to lay out a State road from Richmondville, in Sanilac county, to the head waters of Black river.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Howard, previous notice having been given, and leave being granted, introduced

A bill to change the name of Helen Maria Hoffman.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

On motion of Mr. Deare,

The House adjourned until Monday morning, at 10 o'clock.

Lansing, Monday, January 26, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Mr. Howell asked and obtained leave of absence for himself for one week from to-morrow, on account of sickness.

Mr. Sherman asked and obtained leave of absence for himself for four days from day after to-morrow.

Mr. Thayer asked and obtained leave of absence for four days, for Mr. Sprague.

Mr. Griswold asked and obtained leave of absence for himself and Messrs. Read and Mason, committee on State Prison, for an indefinite time, in order that said committee may be enabled to visit the State Prison, in accordance with a resolution of the House.

The Speaker announced the appointment of Hon. Henry Miller, on the committee on Reform School, to fill the place made vacant by the decision of the House in the contested election case of Hon. John N. Donaldson.

PRESENTATION OF PETITIONS.

By Mr. Harmon: petition of L. C. Smith, and 78 other citizens of the village of Howell, in the county of Livingston, praying for the passage of an act to incorporate said village;

Referred to the committee on banks and incorporations.

By Mr. Mason: memorial of the Home of the Friendless Association, in the city of Detroit, asking for the passage of a law to aid them in their benevolent enterprise;

Referred to the committee on the judiciary.

By Mr. Slafter: petition of H. P. Atwood and others, asking for the repeal of so much of subdivision 15, of sec. 11, of chapter 10 of the compiled laws, as provides for giving authority to a township to borrow, or raise by tax, one thousand dollars, to build and repair bridges;

Also, the petition of Daniel Marvin, and 81 others, for the same purpose;

Referred to the committee on roads and bridges.

By Mr. Howell: petition of inhabitants of Barton, Newaygo county, to attach said township to Mecosta county;

Referred to the committee on towns and counties.

By Mr. Bliss: petition of D. D. Ross, John Diffew, Joseph Diffew, and 126 others, for a State swamp land road from Bridgeport to Flushing;

Referred to the committee on public lands.

By Mr. Winsor: petition of G. W. Pack, R. W. Irwin, and 60 others, praying for a law to authorize the Governor to appoint a commissioner for the west part of the Sand Beach and Bay City State road, in Huron county;

Referred to the committee on public lands.

By Mr. Winsor: petition of Charles McMillen, Richard Shaw, and 90 others, residents of the town of Paris, in Huron county, praying for an appropriation of State swamp lands on the Ellington and White rock State road, running through Huron county;

Referred to the committee on public lands.

By Mr. Thomas: petition of Levi Lyder and 15 others, for a State road in the towns of Prairieville, Barry and Ross;

Also, the petition of Wm. H. Tagart and 28 others, for the same purpose;

Also, the petition of Frederick Husin and 10 others, for the same purpose;

Referred to the committee on roads and bridges.

By Mr. McKernan: petition of James D. Read, S. S. Robinson, and 120 others, asking that the office of district judge of the Upper Peninsula be abolished, and a circuit created therein;

Referred to the special committee on matters pertaining to the Upper Peninsula.

By Mr. Gargett: petition of P. O. Bassett and 75 other citizens of Ovid, asking for a State road from Agricultural College to north line of town 10 north, range 1 west, and an appropriation for the same;

Also, the petition of F. McClintock and 42 others, for the same purpose.

Referred to the committee on public lands.

By the Speaker: a communication and petition from the 8th regiment of Michigan infantry;

On motion of Mr. Howell,

The communication and petition were ordered printed in the journal, and referred to the committee on the judiciary.

The following is the communication and petition:

HEADQUARTERS 8TH MICH. INFANTRY, }
Opposite Fredericksburg, Va., Jan. 18, 1863. }

To the Speaker of the House of Representatives, Lansing, Mich.:

DEAR SIR—Herewith I send you a petition, signed by all the commissioned officers now present with the regiment in the field, including Col. Wm. M. Fenton, now in command of the 1st brigade, 1st division, 9th army corps. Representing, as it does, the conviction both of the officers and men of the regiment, I trust it may receive the favorable consideration of the body over which you have the honor to preside.

I am, sir,

Your obedient servant,

CHAS. H. McCREERY,

Adjutant 8th Michigan Infantry.

HEADQUARTERS 8TH REG'T MICH. INFANTRY VOL'S, }
Camp opposite Fredericksburg, Va., }
Sunday, January 18, 1863. }

To the Executive, Senate and House of Representatives of the State of Michigan:

The undersigned, officers of the Eighth Michigan Infantry, respectfully petition your honorable bodies to take such measures as may prevent our being consolidated with any other regiment, as seems to be contemplated by a bill pending in Congress. Believing that, although soldiers in the field, and subject to military orders, we still have retained the right to petition, we say, we have a history:

1st. The Eighth Michigan was the only north-western regi-

ment attached to the expedition to Port Royal, S. C., in October, 1861;

2d. In all the battles and affairs of that department, up to August, 1862, at which time it was ordered to Newport News, Va., the Eighth Michigan, in all cases, either was the sole, or advance regiment, engaged. (Witness the battles of the Coosaw or Port Royal Ferry, January 1st; Wilmington Island, April 16th; and James Island, June 16th, 1862, with several other minor affairs;)

3d. This regiment, since August 1st, has been in every battle in Virginia and Maryland, in which the army of the Potomac was engaged, up to the battle of Fredericksburg, where, with its corps, (9th,) it stood in line of battle until ordered to recross the Rappahannock;

4th. Small in number, we are, it is true; but battle and disease, while serving the country, have thinned our ranks. The rank and file have stood up manfully in defence of our flag, and deserve consideration. It would be unjust to reduce non-commissioned officers, who have nobly stood by our country's cause, and equally unjust to compel privates to enter any but the regiment in which they volunteered.

Lastly: to carry out the objects for which we entered the service, we ask—

1. That our ranks be filled;

2. If this cannot be done, we ask (rather than consolidation) that we be disbanded, and each man be allowed to choose the regiment he may enter, or return to the same home comforts those have enjoyed, who have not participated personally in the war.

WM. M. FENTON, Col. 8th Mich. Volunteers.

RALPH ELY, Major Commanding 8th Mich. Reg. Infantry.

J. C. WILLSON, Surgeon, 8th Michigan Regiment Infantry.

GEO. TAYLOR, Chaplain, " " " "

CHAS. H. MCCREERY, Adjutant 8th " " "

E. G. WILLIAMS, Qr. Master 8th " " "

J. S. FREEMAN, Lieut. Com'dg Co. A. 8th Mich. Reg. Inf'try.

W. ELY LEWIS, Capt. Co. B. " " " "

E. M. HOVEY, Lieut. " " " "

ROBERT G. HUTCHISON, 1st Lieut. Commanding Co. C.

JOHN C. BUCHANAN, Captain Co. D.

GEO. P. BAKER, 1st Lieut. Co. D.

ABRAHAM COTTRELL, Captain Co. E.

J. EDWARD MARVIN, 1st Lieut. "

GEO. E. SWINSCOE, Capt. Commanding Co. F.

JOHN D. SUMNER, Lieut. Co. F.

AUSTIN W. GREEN, 2d Lieut. Commanding Co. H.

THOMAS CAMPBELL, " " Co. I.

CHARLES F. SMITH, 1st Lieut. Commanding Co. K.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution, entitled

Joint resolution to amend joint resolution No. 13, appropriating the tolls of the St. Mary's Falls Ship Canal to the payment of the amount due counties for taxes assessed on canal lands, approved March 11, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order,

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution, entitled

Joint resolution instructing the Board of State Auditors to make a settlement with Thomas Sullivan,

Would respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of whole, and placed on the general order.

By the committee on militia:

The committee on militia, to whom was referred

A bill to amend section 642, of the compiled laws, being chapter one, title militia,

Have had the same under consideration, and find that the act, to which the bill, if passed, would be amendatory, has been repealed by a former Legislature, and have therefore instructed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 111 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, together with the accompanying bill, entitled

A bill to amend chapter 111 of the compiled laws, entitled of masters, apprentices and servants,

As a substitute therefor, and recommend that the substitute do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Cook gave notice that on some future day he would ask leave to introduce

A bill to prevent the unlawful driving away of cattle and other stock, by drovers and others.

Mr. H. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend section 107, of act 247, session laws of 1859.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay Railroad.

Mr. Slafter gave notice that he would ask leave on some future day to introduce

A bill to provide for laying out and establishing a State road, commencing at the forks of Cass River, in Tuscola county, and terminating at Wild Fowl Bay, in Huron county, and for an appropriation of swamp land to aid in the construction of the same;

Also,

A bill for laying out and establishing a State road, commencing at the village of Lapeer, in Lapeer county, via the village of Tuscola, in Tuscola county, terminating on the Goodrich and Lower Saginaw State road, between sections 32 and 33, in township No. 12 north, of range No. 7 east, and for an appropriation of swamp land to aid in the construction of the same.

Mr. Welch gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the set-

tlement and drainage of swamp lands by actual settlers, being act No. 229 of session laws of 1859, as amended by act No. 108, session laws of 1861.

Mr. Griswold offered the following:

Resolved, That upon the discussion of resolutions upon the state of the Union, now the special order for Wednesday, the 4th day of February next, no member of this House shall occupy the floor more than 30 minutes at one time;

On motion of Mr Howard,

The resolution was laid on the table.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to aid in cutting drains through a certain marsh in the township of Shiawassee, in said county.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to amend section 24, of act No. 216, entitled an act to provide for the draining of swamps, marshes and other low lands, so as to give to any judge of a court of record the power to appoint commissioners when appealed to, as now provided in said section.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to authorize the 5th ward, of the city of Grand Rapids, to assess and collect certain moneys, for school purposes.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road from Alma, via Mt. Pleasant, in Isabella county, to Big Rapids, in Mecosta county, and to ask for an appropriation of swamp land to build the same.

Mr. Howell, previous notice having been given, and leave being granted, introduced

A bill to amend section 5 of the act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sherman, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend an act entitled an act, to authorize proceedings against garnishees, and for other purposes, approved March 28, A. D. 1849, being chapter 141 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to change the name of the First Congregational Society of Saginaw city, to the First Presbyterian Society of the city of Saginaw.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3510 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend section 6, No. 59, of session laws of 1853.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend an act to revise an act entitled an act to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend section 1680 of the compiled laws, being section 61 of an act entitled an act to incorporate the Michigan State Agricultural Society, approved March 31, 1849.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Winsor, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of a road from White Rock, in Huron county, to Ellington, in Tuscola county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Thomas, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in the townships of Prairieville, Barry and Ross.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Erskine, previous notice having been given, and leave being granted, introduced

A bill to provide for laying out and establishing a State road in the counties of Sanilac and Huron.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House bill, being

A bill to authorize Union School District No. 9, of the township of Grass Lake, in the county of Jackson, to issue bonds;

Which motion prevailed.

On motion of Mr. Howell,

The rules were suspended, and the bill put upon its final passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Howell asked and obtained the unanimous consent of the House to amend the bill by inserting after the word "annum," the following: "and not to be disposed of at less than par."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. E. G. Morton,
Aldrich,	Gargett,	H. G. Morten,
Allen,	Gaylord,	Mosher,
Barnes,	Green,	Parsons,
Beakes,	Grinnell,	Pendill,
Bentley,	Griswold,	Piper,
Betts,	Grosebeck,	Pratt,
Bliss,	Harmon,	Raymond,
Bowen,	H. A. Hayden,	Sherman,
Buckley,	Henry Hayden,	Slatter,
Buell,	Haze,	G. A. Smith,
Burt,	Hemingway,	T. G. Smith,
Chapoton,	Hodgkinson,	Aura Smith,
Clark,	Hood,	Stewart,
Cobb,	Howard,	Thayer,
Combs,	Howell,	Thomas,
Congdon,	Jenison,	Tinham,
Cook,	Keeney,	Toll,
Crane,	Littlejohn,	Warner,
Crego,	Lockwood,	Welch,
Deare,	Luther,	Wheeler,
Dixon,	Mallory,	White,
Deckeray,	Mason,	Williams,
Dow,	McKernan,	Winans,
Eldridge,	McMartin,	Winsor,
Fellows,	Henry Miller,	Woodman,
Fitch,	J. C. Miller,	Speaker,
Fowle,		

82

NAYS.

0

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fitch,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
McMartin,
Henry Miller,

Mr. J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,
Pratt,
Raymond,
Slafter,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinham,
Toll,
Warner,
Welch,
Wheeler,
White,
Williams,
Winans,
Winsor,
Woodman,
Speaker.

82

NAYS.

0

Title agreed to.

On motion of Mr. Bliss,

●

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 7, entitled

A bill to amend section 872 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,

Mr. Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,

Mr. McMartin,
H. Miller,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Tinham,
Toll,
Warner,
Welch,
Wheeler,
White,
Williams,
Winans,
Woodman,
Speaker,

78

NAYS.

Mr. Mason,

1

Title agreed to.

House bill No. 13, entitled

A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement, being chapter 130, of revised statutes of 1846,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Howell moved to re-commit the bill to the committee on the judiciary, with instructions to reduce the rate of interest to seven per cent., and extend the redemption of homesteads for two years;

Mr. Mason called for a division of the question.

The question being upon the motion to recommit,

Mr. Howell demanded the yeas and nays;

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. McMartin,
Aldrich,	Fowle,	E. G. Morton,
Bentley,	Freeman,	Mosher,
Buckley,	Gargett,	Porter,
Buell,	Grosebeck,	Sherman,
Burt,	H. A. Hayden,	Aura Smith,
Cobb,	Henry Hayden,	Thomas,
Crego,	Hodgkinson,	Tinham,
Davis,	Howard,	Toll,
Dixon,	Howell,	Welch,
Dockeray,	Jenison,	Wheeler,
Dow,	Keeney,	Woodman,
Eldridge,	McKernan,	

88

NAYS.

Mr. Allen,	Mr. Gaylord,	Mr. Pendill,
Barnes,	Green,	Piper,
Beakes,	Grinnell,	Pratt,
Betts,	Griswold,	Raymond,
Bliss,	Harmon,	Slafter,
Bowen,	Haze,	G. A. Smith,
Chapoton,	Hemingway,	T. G. Smith,
Clark,	Littlejohn,	Stewart,
Combs,	Lockwood,	Thayer,
Congdon,	Luther,	Warner,
Cook,	Mallory,	White,
Crane,	Mason,	Williams,
Deare,	H. Miller,	Winans,
Denman,	J. C. Miller,	Winsor,
Erskine,	Parsons,	Speaker,
Fitch,		

46

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. McMartin,
Allen,	Fitch,	H. Miller,
Barnes,	Fowle,	J. C. Miller,
Beakes,	Freeman,	E. G. Morton,

Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Deare,
Dixon,
Dockeray,
Dow,

Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Littlejohn,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,

H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Pratt,
Raymond,
Slafter,
G. A. Smith,
T. G. Smith,
Stewart,
Thayer,
Toll,
Warner,
White,
Williams,
Winans,
Winsor,
Speaker, 69

NAYS.

Mr. Aldrich,
Denman,
Eldridge,
Erskine,

Mr. Henry Hayden, Mr. Welch,
Howard,
Howell,
Keeney, 11

Title agreed to.

GENERAL ORDER.

On motion of Mr. Toll,

The House went into committee of the whole on the general order,

Mr. Mason in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to amend act No. 175, of session laws of 1861, to grant twenty-five thousand acres of State swamp lands to the German-American Seminary of the city of Detroit,

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

L. N. MASON, *Chairman.*

Report accepted and committee discharged.

Mr. Crego moved that the House concur in the amendments made to the bill by the committee;

Mr. Howell called for a division of the question;

The question being upon the amendment to insert after the word "security," in line 21 of the bill, the words, "to be approved by the State Treasurer,"

The amendment was adopted.

The question then being upon the amendment to add at the end of the bill the words, "and that the same shall be drained as required by the act of Congress aforesaid,"

The amendment was not adopted.

The bill was then ordered engrossed for a third reading.

Mr. Pratt moved that the House adjourn;

Which motion did not prevail.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called : quorum present.

Mr. Read, by unanimous consent, presented the remonstrance of E. C. Hathaway and Allen Mowry, and 70 others, against laying out a State road from Prairieville, in Barry county, to Augusta, in Kalamazoo county;

Referred to the committee on roads and bridges.

On motion of Mr. Howell,

The rules were suspended, and

House bill No. 13, entitled

A bill to amend act No. 175, of session laws of 1861, to grant twenty-five thousand acres of State swamp lands to the German-American Seminary of the city of Detroit,

Put upon its immediate passage.

The bill was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Lockwood,
The bill was laid on the table.

MESSAGES FROM THE GOVERNOR.

By unanimous consent, the Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, January 21, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to legalize the tax roll of Hancock township, in Houghton county, for the year A. D. 1862, and to extend the time for the collection of the taxes of said township.

AUSTIN BLAIR.

Also the following:

EXECUTIVE OFFICE,
Lansing, January 23, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the assessment and collection of taxes in the township of Taymouth, in the county of Saginaw, for the year 1862;

Also,

An act to legalize the tax rolls of the townships of Ontonagon county for the year 1862, and to extend the time for the collection of said taxes;

Also,

An act to provide for the payment of the officers and members of the Legislature for the year 1863.

AUSTIN BLAIR.

GENERAL ORDER.

On motion of Mr. Welch,

The House went into committee of the whole on the general order;

Mr. Warner in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to amend section fifteen, chapter one hundred and fifty, of the revised statutes, the same being section fifty-six hundred and fifty-one, chapter one hundred and seventy-five, of the compiled laws, in relation to the fees of justices of the peace in civil cases,

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and to ask leave to sit again.

WM. WARNER, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Howell,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Tuesday, January 27, 1863.

House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Crane, Wilson and Winans.

Mr. Denman asked and obtained leave of absence for Mr. Crane, for an indefinite time.

Mr. Burt asked and obtained leave of absence for Mr. Wilson, for two days.

Mr. Barnes asked and obtained leave of absence for Mr. Winans, for an indefinite time.

PRESENTATION OF PETITIONS.

By Mr. Dockeray: petition of Wm. H. Jones and 14 others, members of the First Baptist Church and Society, of Laphamville, Kent county, to legalize the proceedings of said society.

Referred to the committee on banks and incorporations.

By Mr. Swezey: remonstrance of Peter Falk and 48 others, citizens of Orangeville, in the county of Barry, against the passage of an act to refund, by tax, voluntary subscriptions to the bounty fund;

On motion of Mr. Williams,

The remonstrance was laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 109, of the revised statutes of 1846; in relation to partition of lands, being chapter 135 of the compiled laws, by adding four new sections thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5 of the act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Buckley,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 11, being

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the better security of mechanics and others erecting buildings, or performing other mechanical work,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections one hundred and seventeen and one hundred and eighteen, chapter ninety, of the revised statutes, the same being sections thirty-five hundred and seventy and thirty-five hundred and seventy-one, chapter one hundred and fifteen of the compiled laws, relative to the sale of real estate under decrees in chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to amend an act entitled an act to provide for the draining of swamps, marshes, and other low lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass,

and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred the petition of Silas Stone, David Miles, A. Bently, and 33 others, citizens of Lapeer county, asking that a law be passed requiring that persons keeping horses for stock be required to pay a license,

Respectfully report that they are at a great loss to determine whether the memorialists desire that the Legislature enact a law by which the owner shall be examined, and pay a license on himself as well as on his horse, or whether the license relates only to his horse; but, after mature deliberation, your committee came to the conclusion that the former must be the prayer of the petitioners.

Your committee would further report, that they cannot see any good and sufficient reason given in the petition, why his Excellency, the Governor, should have the power to appoint the committee to examine the owner, and not the committee to examine the horse.

And further, we cannot see the propriety why the committee whose duty it shall be to examine the horse, should not receive a compensation, as well as the committee that examines the owner.

The committee directed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gaylord,

The petitioners were granted leave to withdraw their petition.

By the committee on supplies and expenditures: •

The committee on supplies and expenditures, to whom was referred the resolution instructing them to furnish a set of post-office scales for the use of the members of this House, respectfully report that they have procured said scales, at a cost of \$2 86, and placed the same in this House, in obedience to said instructions.

All of which is respectfully submitted.

WILLIAM COOK, *Chairman.*

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

A bill to change the name of the Carrolton Salt Manufacturing Company, to Empire Salt Company;

Also,

A bill to extend the time for the collection of taxes in the township of Green Oak, in the county of Livingston, for the year 1862.

CHAS. BETTS, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to extend the time for the collection of taxes for the year 1862, in the township of Seneca, in the county of Lenawee;
2. A bill to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862;
3. A bill to extend the time for the collection of taxes in the township of Greenfield, in the county of Wayne, for the year 1862;

4. A bill to legalize certain volunteer family relief orders, in the county of Clinton, in this State;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend section 4115 of the compiled laws of the State of Michigan, it being section 9, of chapter 97, of the revised statutes of 1846,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following joint resolution:

House joint resolution No. 1, entitled

Joint resolution asking the government of the United States to make a grant of land for the construction of a wagon road

from Copper Harbor, in the State of Michigan, to the city of Appleton, in the State of Wisconsin;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, January 26, 1863. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to re-return to the House the following entitled bill:

A bill to extend the time for the collection of taxes in the township of Erie and the township of Lasalle, in the county of Monroe,

Which the Senate had amended by inserting after the word "Lasalle," in the title, and in section 1, the words, "Raisinville, and the first, second and third wards of Monroe city;"

And to which the House made a farther amendment, by adding after the word "city," the words "Frenchtown and Ash;" also, by substituting the following for the title of the bill:

A bill to extend the time for the collection of taxes in certain townships and wards in the county of Monroe;

And to inform the House that the Senate has concurred in said amendments of the House, by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deare moved that the committee of the whole be discharged from the further consideration of House bill No. 38, entitled

A bill to legalize the action of townships and counties in raising bounties for volunteers;

Which motion prevailed.

Mr. Lockwood moved that the bill be made the special order for to-day;

Which motion prevailed.

Mr. Howell moved to take from the table House bill No. 16, entitled

A bill to amend act No. 175, of session laws of 1861, to grant twenty-five thousand acres of State swamp lands to the German-American Seminary, of the city of Detroit;

Which motion prevailed.

The bill, having been read a third time, and the question being upon its final passage,

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Congdon,
Cook,
Cowan,
Crego,
Davis,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howard,
Howell,
Littlejohn,
Luther,
Mallory,

Mr. Parsons,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Sherman,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Tinham,
Toll,
Welch,

Deare,
Denman,
Dixon,
Dockeray,
Eldridge,
Fellows,
Fifield,

McKernan,
McMartin,
H. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Wheeler,
White,
Williams,
Winsor,
Woodman,
Speaker,

77

NAYS.

Mr. Hemingway,
Lockwood,

Mr. J. O. Miller,

Mr. Warner,

4

Pending the announcement of the vote,

Mr. Burt moved that Mr. Lockwood be excused from voting;

Which motion did not prevail.

Mr. Lockwood then voted as recorded above.

Title agreed to.

On motion of Mr. Sherman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Harmon offered the following:

Resolved, That the use of this Hall be granted to Professor Palmer, on Wednesday evening of next week, for the purpose of delivering a lecture on England and her present relations to the United States;

Which was adopted.

Mr. Green offered the following:

Resolved, That the committee on ways and means be instructed to prepare and present to the Clerk of the House, a schedule of the mileage to which each member of the House is entitled;

Which was adopted.

Mr. Barnes offered the following:

Resolved, That the Speaker be authorized to appoint two additional messengers for the House.

On motion of Mr. Woodman,

The resolution was laid on the table.

Mr. Woodman gave notice that on some future day he would ask leave to introduce

A bill to authorize school district No. 4, of the township of Decatur, in the county of Van Buren, to issue bonds.

Mr. Dockeray gave notice that on some future day he would ask leave to introduce

A bill to legalize the proceedings of the First Baptist Church and Society of Laphamville, Kent county.

Mr. Haze gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 108 of the compiled laws of the State of Michigan, entitled, of divorce.

Mr. Haze offered the following:

Resolved, That the use of this Hall be tendered to the Superintendent of Public Instruction, and he be invited to address the Legislature this evening, on the general interests of common schools, and the best means of their support;

Which was adopted.

Mr. Fitch gave notice that on some future day he would ask leave to introduce

A bill to establish the weight of certain farm products, and dried fruit, coal and vegetables.

Mr. Denman gave notice that on some future day he would ask leave to introduce

A bill to amend section 5 of an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise by a registration of electors.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to provide for recording United States internal revenue stamps affixed to instruments authorized by law to be recorded.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. E. G. Morton, unanimous consent being given, introduced

Joint resolution requesting the general government to repair or rebuild Fort Brady, at Sant Ste Marie, in the State of Michigan.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to authorize the fifth ward of the city of Grand Rapids to assess and collect certain moneys for school purposes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Welch, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229, of session laws of 1859, as amended by act No. 108, of session laws of 1861.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Slafter, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road from the village of Lapeer, in Lapeer county, to the Goodrich and Lower Saginaw State road, in Tuscola county; also, to lay out and establish a State road from the forks of Cass river, in the county of Tuscola, to Wild Fowl Bay, in the county of Huron.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Toll moved that the committee of the whole be discharged from the further consideration of House bill No. 20, being

A bill to amend act No. 213, of the laws of 1861, approved March 15, 1861, entitled an act to organize the county of Bleeker;

Which motion prevailed.

On motion of Mr. Toll,

The bill was placed on the order of third reading.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 20, entitled

A bill to amend act No. 218, of the laws of 1861, approved March 15, 1861, entitled an act to organize the county of Bleeker,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Toll asked and obtained the unanimous consent of the House, to amend the bill, by adding at the end of recited section 4, the following: "*Provided*, That if the said board shall fail to meet on the day above named, they may meet on any other subsequent day of the same month."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockcray,
Eldridge,
Erskine,
Fellows,
Field,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howell,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. O. Morton,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Sherman,
Slaster,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,
Tinhum,
Toll,
Warner,
Welch,
Wheeler,
White,
Winsor,
Woodman,
Speaker,

NAYS.

SPECIAL ORDER OF THE DAY.

On motion of Mr. Deare,

The House went into committee of the whole on the special order,

Mr. Howell in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to legalize the action of townships and counties, in raising bounties for volunteers;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

W. T. HOWELL, *Chairman.*

Report accepted.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of the bill;

Which motion prevailed.

On motion of Mr. Howell,

The bill was re-committed to the committee on banks and incorporations.

On motion of Mr. Howell,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Wednesday, January 28, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent at roll call, without leave, Mr. Crego.

Mr. Woodman asked and obtained leave of absence for Mr. Crego, for an indefinite time, on account of sickness.

Mr. Denman asked and obtained leave of absence for himself, until Tuesday next, after to-day.

Mr. Harmon asked and obtained leave of absence for himself, until Tuesday next, after to-day.

PRESENTATION OF PETITIONS.

By Mr. Dixon: petition of R. D. Orr and 11 other citizens of the county of Antrim, asking for the passage of an act to organize the township of Wheatland;

Referred to the committee on towns and counties.

By Mr. Dixon: petition of Hugh Miller, and 26 other citizens of Emmett county, asking for the passage of a law granting a pre-emption right to settlers upon State swamp lands;

Referred to the committee on public lands.

By Mr. Lockwood: petition of owners of lands in the township of Springwells, in the county of Wayne, lying north of the Grand River road, to have said lands set over and attached to the township of Greenfield;

Referred to the committee on towns and counties.

By Mr. Woodworth: petition of H. T. Allen, George B. Loomis, O. D. Ford, and 46 others, asking for the repeal of the charter of the Jackson and Lansing plank and gravel road;

Also, petition of William Haynes and 70 others, for the same purpose;

Referred to the committee on banks and incorporations.

By Mr. Beakes: memorial of the State Board of Education, in reference to the establishment of normal classes;

On motion of Mr. Beakes,

The memorial was ordered printed in the journal, and referred to the committee on education.

The following is the memorial:

To the Honorable the Senate and House of Representatives of the State of Michigan:

The State Board of Education ask leave to submit to your honorable Houses the following statements and petitions:

1. There are annually employed in the primary schools of the State more than 8,000 teachers. And as teaching is, with the great majority of teachers, only a temporary employment, it is computed that every year nearly 2,000 new and inexperienced

teachers are introduced into our schools, to the great hazard, and often to the serious detriment of these schools;

2. It is an admitted and incontestible truth, that the art of teaching demands a special and peculiar training for its successful practice. It is this truth that has led to the establishment of Normal Schools. It needs no argument to demonstrate its importance. "As is the teacher, so is the school;"

3. The State Normal School, though constantly crowded to its utmost capacity, and working with a success unsurpassed by any similar institution in this country, is totally inadequate to meet so large a demand for professional instruction of teachers;

4. So urgent has become the demand for better qualified teachers, and the consequent desire on the part of teachers for professional training, that a considerable number of the Union and other High Schools and Colleges have felt compelled to organize and instruct Teachers' or Normal Classes;

5. If these Normal Classes could be increased in number, and encouraged to a more thorough and systematic course of study and training, it is believed that they might be made to supply annually a very large number of well trained and competent teachers for our primary schools, nearly, if not quite, meeting the demand.

The State Board of Education, to whom is committed the Normal School, and within the sphere of whose work this matter properly lies, would therefore respectfully ask that an act be passed authorizing them to accept and appoint at least one normal or teachers' class in each county, in some High School thereof, that shall give evidence of its ability to furnish the requisite amount and kind of instruction; and to establish and prescribe for such classes a uniform course of study and instruction, such as will fit and prepare the members of such classes to teach in the primary schools of the State.

They ask, also, that the pupils in these classes be submitted to annual or other examinations, under the direction of the Superintendent of Public Instruction, and that he be authorized to

grant certificates to such as shall have completed the full course of instruction, and passed a satisfactory examination thereon, and given evidence of their good character and ability to teach, licensing them to teach in the primary schools of the State.

It is not designed that this plan shall in any way rival or interfere with the work of the State Normal School, which, with its longer and fuller course of instruction, will still be crowded with those who propose to make teaching a business for life. These Normal Classes, with a briefer course of training and study, are designed only to prepare for teaching in the primary schools, those who seek the teacher's calling only for a limited period, and who will not, therefore, undertake the longer course of the Normal School.

Stimulated by the hope of winning a State certificate which would aid them to obtain employment, it may be expected that a large proportion of those desiring to teach would seek access to these classes.

Excited to a healthful emulation by the knowledge that its work is to pass the test of a common and uniform examination under State authority, each Institution would use every effort to do its work well.

To encourage still further the formation and instruction of such classes, and to compensate the schools for the additional labor and expense incurred thereby, the Board would respectfully ask that the income of the Primary School Fund arising from the sale of swamp lands, under the law of 1858, be set apart for the education of teachers for the Primary Schools, by means of these classes. The income of this fund, if added to the annual apportionment of public school moneys, would make but a slight increase of such apportionment; but, used for the purpose proposed, and apportioned among the schools teaching these Normal Classes, in proportion to the number of teachers they shall educate, it will powerfully and beneficently affect all the Primary Schools of the State.

If this fund shall be appropriated to this purpose, then the

Board of Education may be authorized to stipulate for the instruction of teachers in these Normal Classes free of charge for tuition, and thus offer them an additional inducement to pursue the course of studies prescribed for them.

The great importance of this question of a supply of competent teachers for our Primary Schools, renders the plan here proposed worthy of serious consideration. It is not a new and untried experiment. Several of the States have resorted to the expedient of organizing such Normal Classes in their Academies and other High Schools, and as has already been intimated, many of our own High Schools do now, to meet a public demand, annually form and instruct such classes. Under the regulations and encouragements proposed, these classes might be doubly efficient, and their number largely increased. All of which is respectfully submitted.

By order and in behalf of the Board of Education,

WITTER J. BAXTER, *President.*

J. M. GREGORY, *Secretary.*

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to change the name of the First Congregational Society, of Saginaw City, to First Presbyterian Society, of the city of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gaylord,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Mt. Clemens and Romeo plank road company to discontinue a portion of their road, and for other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was re-committed House bill No. 33, it being

A bill to legalize the action of townships and counties in raising bounties for volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Deare,

The House concurred in the amendments made by the committee.

On motion of Mr. Deare,

The bill was made the special order for to-day.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

A bill to authorize the 1st Congregational Society of the village of Grand Haven, to sell certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

A bill supplementary to an act entitled an act to provide for the incorporation of railroad companies, approved February 12th, 1855;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, A. D. 1849, being chapter 141 of the compiled laws,

Respectfully report that they have had the same under consideration, and have instructed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5842 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Buckley,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for recording United States internal revenue stamps, affixed to instruments authorized by law to be recorded,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 6, being

A bill to amend section four thousand one hundred and fifteen

(4115) of the compiled laws of the State of Michigan, it being section nine, of chapter ninety seven, of the revised statutes of eighteen hundred and forty-six,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3900 of the compiled laws, being section 248, of chapter 117, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Tinham,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate joint resolution No. 1, entitled

Joint resolution for the relief of Robert W. Cummings,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill, entitled

A bill to legalize the tax roll of the township of California, in the county of Branch, for the year 1862, and to extend the time for the collection thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. J. C. Miller,

The House concurred in the amendment made by the committee.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of the Collectors and Aldermen of the city of Detroit, asking an extension of time for the collection of State and county taxes,

1. Respectfully report that they have had the same under consideration, and after diligent inquiry, are unable to learn any sufficient reasons for asking such extension by legislative action, and no reasons being given in said petition, they have instructed me to report the same back to the House, with the recommendation that the prayer of the petitioners be not

granted, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The petition was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills and joint resolution:

1. A bill to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862;

2. A bill to extend the time for the collection of taxes in the township of Greenfield, in the county of Wayne, for the year 1862;

3. Joint resolution asking the government of the United States to make a grant of land for the construction of a wagon road from Copper Harbor, in the State of Michigan, to the city of Appleton, in the State of Wisconsin.

CHAS. BETTS, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 27, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.,

Which the Senate has amended by striking out the word "or," where it first occurs in line 4, section 1;

Also, by striking out the word "or," where it first occurs in line 2, section 2;

Also, by striking out the word "and," in lines 4 and 8, section 2, between the words "druggist and apothecary;"

Also, by inserting after the word "thereof," in line 8, section 2, the words "be deemed guilty of a misdemeanor, and;"

Also, by striking out the word "or" where it first occurs in line 3, section 3;

Also, by inserting in line 5, section 3, after the word "mechanic," the words "with intent to defraud;"

Also, by striking out all in line 3, section 4, after the word "apothecary," and all of line 4 in said section;

Also, by inserting in line 10, section 4, after the word "shall," the words "be deemed guilty of a misdemeanor, and upon conviction thereof;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Lockwood moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Clark,
Congdon,
Cook,
Cowan,
Crane,
Davis,
Deare,
Dennan,
Dixon,
Dockeray,
Eldridge,

Mr. Fifield,
Fowle,
Freeman,
Gargett,
Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Littlejohn,
Lockwood,
Mallory,
McKernan,
McMartin,
Henry Miller,
J. C. Miller,

Mr. Mosher,
Pendill,
Piper,
Porter,
Pratt,
Raymond,
Slatter,
Sprague,
Aura Smith,
Sweezey,
Thayer,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
White,
Williams,
Winsor,
Woodman,

Erskine,
Fellows,

E. G. Morton,
H. C. Morton,

Woodworth,
Speaker, 66

NAYS. 0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill changing the name of the village of Fred, in Montcalm county, to that of Stanton;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to extend the time for the collection of taxes, for the year 1862, in the township of Summerfield, in the county of Monroe;

2. A bill to amend an act entitled an act to amend section sixty-three, of chapter sixty, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on public lands, approved March 15, 1861;

3. A bill to amend section two thousand five hundred and one of the compiled laws;

4. A bill to authorize the Auditor General to pay Theron

Bostwick the money erroneously paid on redemption and sale of certain lands;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and,

On motion of Mr. E. G. Morton,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill to extend the time for the collection of taxes, for the year 1862, in the township of Summerfield, in the county of Monroe,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Congdon,
Cook,
Cowan,
Crane,
Davis,
Deare,
Denman,
Dixon,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Lockwood,
Mallory,
McKernan,
McMartin,
H. Miller,

Mr. Pendill,
Piper,
Porter,
Raymond,
Sherman,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Aura Smith,
Sweezey,
Thayer,
Thomas,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,

Dockeray,
Eldridge,
Erskine,
Fellows,
Fifield,

J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

White,
Williams,
Woodworth,
Speaker,

71

NAYS.

6

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The second and third named bills were read a first and second time by their titles, and referred to the committee on the judiciary.

The fourth named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1883. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend section 4 of an act entitled an act to provide for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black river, in said township,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to legalize the organization of the county of Delta, and to confirm the proceedings under the same, and to extend the time for the collection of the taxes therein,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to legalize the tax rolls of the several townships in the county of Marquette, and the territory thereto attached, for the year 1862, and to extend the time, and authorize the collection of the same, in the county of Bleeker;

And to inform the House that the Senate has amended the same by striking out the word "July," in line 4, section 2; also in line 5, section 3, and inserting in lieu thereof the word "May;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Pendill moved that the House concur in the amendments made to the bill by the Senate;

Which motion did not prevail.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. H. A. Hayden gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of act No. 159, session laws of 1861, granting right of way to the Grand River railroad company, and for other purposes.

Mr. Sweezey gave notice that on some future day he would ask leave to introduce

A bill to provide for the re-platting of the village of Hastings, in the county of Barry.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 106, of the session laws of 1859, and act No. 108, session laws of 1861, entitled an act to provide for the settlement and drainage of swamp lands, by actual settlers.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to incorporate the St. Patrick's Society of Houghton county.

Mr. Luther offered the following:

Resolved, That the committees on agriculture, education, and militia, have leave of absence on to-morrow, for the purpose of visiting the Agricultural College, in accordance with an invitation of the State Board of Agriculture;

Which was adopted.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend an act relative to levies of execution on real estate, approved Jan. 17, 1862.

Mr. Cook, previous notice having been given, and leave being granted, introduced

A bill to prevent the unlawful driving away of cattle and other stock by drovers and others.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Fitch, previous notice having been given, and leave being granted, introduced

A bill to provide the weight per bushel of certain grains, dried fruit, coal, vegetables, and other farm products.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. John Miller, unanimous consent being given, introduced

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Woodman, previous notice having been given, and leave being granted, introduced

A bill to authorize school district No. 4, of the township of Decatur, in the county of Van Buren, to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Barnes offered the following:

Resolved, That when the House adjourn this day it be until Monday next;

Which was not adopted.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill to change the name of the First Congregational Society of Saginaw city, to the First Presbyterian Society of the city of Saginaw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Congdon,
Cook,
Gowan,
Crane,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Eldridge,
Erskine,
Fellows,
Fifield,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,
H. Miller,
J. O. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Mr. Mosher,
Parsons,
Piper,
Porter,
Pratt,
Raymond,
Slafter,
Spencer,
G. A. Smith,
Aura Smith,
Sweeney,
Thayer,
Thomas,
Tinham,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Winsor,
Woodman,
Woodworth,
Speaker,

75

NAYS.

0

Title agreed to.

On motion of Mr. Gaylord,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to legalize the tax roll of the township of California, in the county of Branch, for the year 1862, and to extend the time for the collection of taxes therein,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Denman asked and obtained the unanimous consent of the House to amend the bill by inserting the words "the township of," between the words "of" and "California," in the first line of section 2.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. H. C. Morton,
Aldrich,	Gargett,	Mosher,
Allen,	Gaylord,	Parsons,
Barnes,	Green,	Piper,
Beakes,	Grinnell,	Porter,
Bentley,	Grosebeck,	Pratt,
Betts,	Harmon,	Raymond,
Bliss,	H. A. Hayden,	Sherman,
Bowen,	Henry Hayden,	Slafter,
Buckley,	Haze,	Spencer,
Buell,	Hemingway,	Sprague,
Clark,	Hodgkinson,	G. A. Smith,
Congdon,	Hood,	Anna Smith,
Cook,	Howard,	Sweezy,
Cowan,	Littlejohn,	Thayer,
Crane,	Lockwood,	Voorhies,
Davis,	Luther,	Warner,
Deare,	Mallory,	Weatherby,
Denman,	McKernan,	Wheeler,
Dixon,	McMartin,	Williams,
Dockeray,	H. Miller,	Winsor,
Eldridge,	J. O. Miller,	Woodworth,
Fellows,	John Miller,	Speaker,
Field,	E. G. Morten,	
	NAYS.	71
		0

Title agreed to.

On motion of Mr. Hemingway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER OF THE DAY.

On motion of Mr. Deare,

The House went into committee of the whole on the special order,

Mr. Davis in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to legalize the action of townships and counties, in raising bounties for volunteers;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report the same back to the House, and ask leave to sit again,

C. DAVIS, *Chairman*.

Report accepted.

Mr. Hemingway moved that the bill be ordered printed, and made the special order for Friday;

Mr. Deare called for a division of the question.

The question being upon ordering the bill printed,

It was so ordered.

The question recurring upon making the bill the special order for Friday,

It was so ordered.

GENERAL ORDER.

On motion of Mr. Cowan,

The House went into committee of the whole on the general order,

Mr. Davis in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

A bill to remit the specific tax upon mining, manufacturing, smelting, and other companies of the Upper Peninsula, to the counties in which they arise, for a period of five years, and to provide for the application of the same;

Also,

A bill to amend section fifty-three hundred and fifty, chapter one hundred and sixty-four, of the compiled laws, in relation to the limitation of actions relating to real property;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The amendments to the first named bill were concurred in.

On motion of Mr. Deare,

The bill was ordered engrossed for a third reading.

On motion of Mr. Parsons,

The second named bill was laid on the table.

Mr. Beakes moved to re-consider the vote, by which House bill No. 21, entitled

A bill to remit the specific tax upon mining, manufacturing, smelting, and other companies of the Upper Peninsula, to the counties in which they arise, for a period of five years, and to provide for the application of the same,

Was placed on the order of third reading;

Which motion prevailed.

Mr. Beakes then moved to strike out of section 1, the following words: "Be it enacted by the Senate and House of Representatives of the State of Michigan," and insert in lieu thereof, the following: "The people of the State of Michigan enact;"

Which motion prevailed.

On motion of Mr. Deare,

The bill was then ordered engrossed for a third reading.

On motion of Mr. Lockwood,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole in the consideration of House bill No. 15, entitled

A bill to amend section 15, chapter 150, of the revised statutes, the same being section 5651, chapter 175, of the compiled

laws, in relation to the fees of justices of the peace in civil cases,

Mr. Warner in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to amend section fifteen, chapter one hundred and fifty, of the revised statutes, the same being section fifty-six hundred and fifty-one, chapter one hundred and seventy-five, of the compiled laws, in relation to the fees of justices of the peace in civil cases,

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

WM. WARNER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fellows,

The House concurred in the amendments made to the bill by the committee.

Mr. Williams moved to amend the bill by striking out the 11th line, and inserting in lieu thereof the following: "For swearing all the witnesses in a cause, eighteen cents;"

Mr. Hemingway offered the following as a substitute for the amendment: "For swearing each witness in a cause, five cents, not exceeding four in one cause;"

Which substitute was not adopted.

The amendment was not adopted.

Mr. Pratt moved to amend the bill by striking out all after the word "cause," in the 11th line, and inserting in place thereof the words "five cents;"

Which motion prevailed.

On motion of Mr. Gaylord,

The bill was ordered engrossed for a third reading.

Mr. Lookwood moved that the committee of the whole be dis-

charged from the further consideration of Senate joint resolution, entitled

Joint resolution to amend joint resolution No. 18, appropriating the tolls of the St. Mary's Falls ship canal to the payment of the amount due counties for taxes assessed on canal lands, approved March 11th, 1861;

Which motion prevailed.

On motion of Mr. Lookwood,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betta,
Bowen,
Buckley,
Buell,
Congdon,
Cook,
Cowan,
Crane,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Eldridge,
Fellows,
Fifield,
Fowle,
Freeman,
Gargett,

Mr. Gaylord,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Littlejohn,
Lockwood,
Luther,
Mallory,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Mr. Piper,
Porter,
Pratt,
Raymond,
Slatter,
Spencer,
Sprague,
G. A. Smith,
Aura Smith,
Sweezy,
Thayer,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Winsor,
Woodman,
Woodworth,
Speaker,

70

NAYS.

0

Title agreed to.

On motion of Mr. Denman,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole, on the general order,

Mr. Deare in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to amend section 8 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2, 1850;

2. A bill to provide for the election and classification of Regents of the University;

3. A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace;

Have made no amendments thereto, and have directed their chairman to report the several bills back to the House, and recommend their passage;

The committee have also had under consideration

4. A bill relating to the admission of attorneys and counselors at law and solicitors in chancery, and to repeal certain sections of the compiled laws relating thereto;

Have stricken out all after the enacting clause of the bill, have directed their chairman to report the same back to the House, ask the concurrence of the House in the action of the committee, and ask to be discharged from the further consideration thereof.

H. W. DEARE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The first named bill was placed on the order of third reading.

Mr. Lockwood moved that the second named bill be placed on the order of third reading.

Mr. Hemingway moved to amend the bill by adding at the end of section 2, the following: "provided that no two of said Regents shall reside in the same judicial circuit."

Mr. Hemingway demanded the yeas and nays on the adoption of the amendment;

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Mallory,	Mr. G. A. Smith,
Bowen,	McMartin,	Aura Smith,
Denman,	H. Miller,	Sweezey,
Dockeray,	J. O. Miller,	Thayer,
Fifield,	John Miller,	Thomas,
Haze,	Mosher,	Toll,
Hemingway,	Pendill,	Welch,
Hood,	Porter,	Weatherby,
Howard,	Pratt,	White,
Littlejohn,	Slafter,	Winsor,
Luther,	Sprague,	Woodworth, 33

NAYS.

Mr. Abbott,	Mr. Deare,	Mr. Hodgkinson,
Allen,	Dixon,	Lockwood,
Barnes,	Eldridge,	Parsons,
Beakes,	Fellows,	Piper,
Bentley,	Freeman,	Raymond,
Betts,	Gaylord,	Spencer,
Buckley,	Green,	Tinham,
Buell,	Grinnell,	Voorhies,
Congdon,	Grosebeck,	Warner,
Cowan,	Harmon,	Williams,
Crane,	H. A. Hayden,	Speaker,
Davis,	Henry Hayden,	35

The question recurring upon the motion to place the bill on the order of third reading,

The motion prevailed.

On motion of Mr. Lockwood,

The third named bill was placed on the order of third reading.

On motion of Mr. Parsons,

The fourth named bill was laid on the table.

On motion of Mr. Voorhies,

The House adjourned until to-morrow morning, at 10 o'clock.

Lansing, Thursday, January 29, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent at roll call, without leave, Mr. Mosher.

Mr. Spencer asked and obtained leave of absence for Mr. Dockeray, until Wednesday next.

Mr. G. A. Smith asked and obtained leave of absence for Mr. Mosher, until Tuesday next.

Mr. Abbott asked and obtained leave of absence for himself, until Wednesday next, after to-day.

PRESENTATION OF PETITIONS.

By Mr. Davis: petition of J. D. Merrill and 68 others, citizens of Newaygo county, asking a grant of swamp land to aid in the construction of a road from Casinovia, to the village of Mears, in Muskegon county;

Referred to the committee on public lands.

By Mr. Hemingway: petition of the board of trustees of school district No. 2, of Lapeer, and others, asking a law authorizing the board of supervisors of Lapeer county, to convey certain lands to said district;

Referred to the committee on the judiciary.

By Mr. Dixon: petition of H. O. Rose, Otto Thies, and 190 other citizens of the county of Leelanaw, now attached to the County of Grand Traverse, for the organization of the same into a separate county, by the name of Leelanaw;

Referred to the committee on towns and counties.

By Mr. Abbott: protest of Tracy H. Southworth and 42 others, against legalizing the bonds of the township of Tekonsha, issued as bounty for volunteers in the United States army;

On motion of Mr. Toll;

The protest was laid on the table.

By Mr. Hodgkinson: petition of Daniel B. Brown, D. D. Tompkins, and 100 others, asking that the month of August, be added to the first section of a bill to amend an act entitled an act for the protection of game in the State of Michigan;

Referred to the committee on State affairs.

By Mr. John Miller: petition of Thos. Dawson, Henry Kingsley, M. Plant, and other citizens of St. Clair county, asking that a law may be passed levying a tax on dogs, for the benefit of sheep-growers;

Referred to the committee on agriculture and manufactures.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

1. A bill to amend section 4 of an act entitled an act to provide for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black River, in said township;

2. A bill to legalize certain volunteer family relief orders in the county of Clinton, in this State;

3. A bill to extend the time for the collection of taxes, for the year 1862, in the township of Seneca, in the county of Lenawee;

4. A bill to extend the time for the collection of taxes in certain townships and wards in the county of Monroe.

LEVI ALDRICH, *for the Committee.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, January 28, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to authorize union school district No. 9, of the township of Grass Lake, in the county of Jackson, to issue bonds;

2. A bill to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, January 28, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend section one of an act to incorporate the village of Dundee;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gaylord offered the following:

Resolved, That the 40th rule of this House be amended by striking out the word "militia," in the last line, and inserting in lieu thereof, the words "military affairs;"

Laid on the table for one day, under the rules.

Mr. H. Miller gave notice that on some future day he would ask leave to introduce

A bill to authorize the Governor to appoint an additional Circuit Court Commissioner, in counties having a population of twenty thousand inhabitants, or over, where but one was elected at the last general election.

Mr. Gaylord, unanimous consent being given, introduced

A joint resolution authorizing the Board of State Auditors to adjust and settle the claim of Clark & Holmes for interest, which may be their due, on moneys unpaid for work done by them on the St. Mary's Falls Ship Canal, in the years 1859 and 1860.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Erskine, previous notice having been given, and leave being granted, introduced

A bill to amend act No. 229, session laws 1859, being an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to amend section 24, of act No. 216, of the session laws of A. D. 1861, entitled an act to provide for the draining of swamps, marshes and other low lands.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. H. A. Hayden, previous notice having been given, and leave being granted, introduced

A bill to amend section 2, of act No. 159, of session laws of 1861, granting right of way to the Grand River Valley Railroad Company on certain lands of this State, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act relative to levies of execution on real estate, approved January 17, 1862.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced

A bill relative to the trial of offences committed against joint stock companies or associations.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced

A bill in relation to suits and proceedings by and against joint stock companies.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McMartin, previous notice having been given, and leave being granted, introduced

A bill to amend section 3411, of chapter 113, of the compiled laws, and to amend section 1, of act No. 92, defining the limits, jurisdiction and powers of circuit judges, approved February 10, 1859.

The bill was read a first and second time by its title.

Mr. McMartin moved that the bill be laid on the table, and ordered printed;

Which motion did not prevail.

The bill was then referred to the committee on the judiciary.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to continue in office and define the powers of the board of control of railroads.

Mr. Littlejohn gave notice that on some future day he would ask leave to introduce

A bill for the relief of J. E. Harding, claiming 40 acres of State land appropriated for road purposes.

Mr. Sherman moved to take from the table House bill No. 19, entitled

A bill to amend section 5350, chapter 164, of the compiled laws, in relation to the limitation of actions relating to real property;

Which motion prevailed.

On motion of Mr. Sherman,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Barnes offered the following:

Resolved That the use of this Hall be granted to Dr. Hempel, of Grand Rapids, for a free lecture on the subject of Homeopathy, on Thursday and Friday evenings, of next week;

Which was not adopted.

Mr. Sherman offered the following :

Resolved, That the Speaker be, and he is hereby authorized, to appoint one more messenger for this House.

Mr. Congdon moved to amend the resolution in such a manner as to authorize the Speaker to discharge one of the present number;

Which did not prevail.

The resolution was then adopted.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 21, entitled

A bill to remit the specific tax upon mining, manufacturing, smelting, and other companies of the Upper Peninsula, to the

counties in which they arise, for a period of five years, and to provide for the application of the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gargett,	Mr. Porter,
Aldrich,	Gaylord,	Pratt,
Allen,	Green,	Raymond,
Barnes,	Grinnell,	Sherman,
Beakes,	Grosebeck,	Slafter,
Bentley,	H. A. Hayden,	Spencer,
Bliss,	Henry Hayden,	Sprague,
Bowen,	Hodgkinson,	G. A. Smith,
Buckley,	Hood,	Abram Smith,
Buell,	Littlejohn,	Aura Smith,
Clark,	Lockwood,	Sweezy,
Congdon,	Luther,	Thayer,
Cook,	Mallory,	Tinham,
Cowan,	McKernan,	Toll,
Davis,	McMartin,	Voorhies,
Deare,	Henry Miller,	Welch,
Dixon,	J. C. Miller,	Weatherby,
Eldridge,	John Miller,	Wheeler,
Erskine,	E. G. Morton,	White,
Fellows,	H. C. Morten,	Winsor,
Fifield,	Parsons,	Woodworth,
Fowle,	Pendill,	Speaker,
Freeman,	Piper,	

68

NAYS.

Mr. Denman, Mr. Hemingway,

2

Title agreed to.

House bill No. 29, entitled

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace,

Was read a third time, and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, follows:

YEAS.

Mr. Abbott,	Mr. Gargett,	Mr. Pendill,
Aldrich,	Gaylord,	Piper,

Allen,
Barnes,
Bowen,
Buckley,
Clark,
Congdon,
Cook,
Cowan,
Davis,
Deare,
Denman,
Dixon,
Eldridge,
Freeman,

Green,
Grinnell,
H. A. Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Littlejohn,
Lockwood,
Mallory,
McKernan,
McMartin,
John Miller,
E. G. Morton,

Porter,
Pratt,
Raymond,
Slafter,
Sprague,
G. A. Smith,
Sweezey,
Thayer,
Toll,
Weatherby,
Wheeler,
White,
Speaker,

47

NAYS.

Mr. Bentley,
Bliss,
Buell,
Erskine,
Fellows,
Fifield,

Mr. Grosebeck,
Henry Hayden,
H. Miller,
J. O. Miller,
Parsons,
Spencer,

Mr. Aura Smith,
Tinham,
Voorhies,
Welch,
Winsor,
Woodworth, 18

Mr. Parsons gave notice that he should move to reconsider the vote by which the House refused to pass the bill.

House bill No 24, entitled

A bill to provide for the election and classification of Regents of the University,

Was read a third time, and pending the taking of the vote on the passage thereof.

Mr. Hemingway asked and obtained the unanimous consent of the House to amend the bill, by adding at the end of section two the following: "*Provided, That at least one of said Regents shall be a resident of such Congressional district of this State.*"

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Bentley,
Bliss,

Mr. Grinnell,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,

Mr. Pratt,
Raymond,
Slafter,
Spencer,
Sprague,

Bowen,
Buell,
Clark,
Congdon,
Cook,
Cowan,
Deare,
Denman,
Dixon,
Eldridge,
Fellows,
Fifield,
Freeman,
Gargett,
Gaylord,
Green,

Hodgkinson,
Hood,
Howard,
Littlejohn,
Lockwood,
Mallory,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,
Piper,

G. A. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thayer,
Thomas,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Winsor,
Woodworth,
Speaker, 63

NAYS.

0

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 25, entitled

A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2, 1850,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Congdon,
Cook,
Cowan,
Deare,
Denman,
Dixon,

Mr. Gaylord,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Littlejohn,
Lockwood,
Mallory,
McKernan,
McMartin,

Mr. Piper,
Pratt,
Raymond,
Sherman,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thayer,
Tinham,
Toll,
Voorhies,

Eldridge,
Erskine,
Fellows,
Fifield,
Freeman,
Gargett,

Henry Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,

Welch,
Weatherby,
Wheeler,
White,
Woodworth,
Speaker.

63

NAYS.

0

Title agreed to.

GENERAL ORDER.

On motion of Mr. Howard,

The House went into committee of the whole on the general order,

Mr. Lockwood in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to allow the LaFayette Benevolent Society, of the city of Detroit, to alter and amend its articles of association;

2. Joint resolution to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws;

3. A bill to amend the charter of the Farmers' Mutual Fire Insurance Association, of Berrien county, Michigan;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

4. A bill to authorize the building of a bridge across the Menominee river, and to appropriate six sections of swamp lands to the county of Menominee, for the purpose of building the same;

Have made some amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

T. W. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Deare,

The first named bill was placed on the order of third reading.

On motion of Mr. Hemingway,

The joint resolution and third named bill were placed on the order of third reading.

On motion of Mr. Hemingway,

The amendments to the fourth named bill were concurred in, *in gross*, and the bill placed on the order of third reading.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,
Lansing, January 29, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following concurrent resolution:

Whereas, The Senate is reduced to barely a quorum, by the absence of the committees upon the different Asylums and the State Prison; therefore

Resolved, (the House concurring,) That when the Senate and House adjourn, it shall be until Wednesday morning next;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. H. A. Hayden moved that the House concur in the adoption of the resolution;

Mr. Lockwood moved to amend the resolution by striking out the word "Wednesday," and inserting "Tuesday" in place thereof;

Which motion did not prevail.

The motion to concur in the adoption of the resolution prevailed.

Mr. Hemingway asked and obtained leave of absence for Mr. Littlejohn for one week from Tuesday next.

Mr. Parsons moved to reconsider the vote by which the House refused to pass House bill No. 29, entitled

A bill to amend section 8786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace,

Which motion prevailed.

On motion of Mr. Parsons,

The bill was laid on the table.

Mr. Hemingway moved to reconsider the motion by which House bill, entitled

A bill to legalize the action of townships and counties in raising bounties for volunteers,

Was made the special order for Friday.

Which motion prevailed.

On motion of Mr. E. G. Morton,

The bill was laid on the table.

Mr. E. G. Morton moved that the House adjourned;

Which motion prevailed.

The Speaker announced that the House stood adjourned until next Wednesday morning, at 10 o'clock.

Lansing, Wednesday, February 4, 1863.

The House met, pursuant to adjournment, at 10 o'clock A. M.

The Speaker and Chief Clerk being absent, the House was called to order by the Assistant Clerk.

Roll called: quorum present.

The Assistant Clerk then announced the following communication from the Speaker:

LANSING, February 4th, 1863.

To the House of Representatives :

Being unable from sickness to attend the sessions of the House, I hereby designate and appoint Hon. Wm. T. Howell, of Newaygo, with the consent of the House, to preside as Speaker during my disability.

S. M. CUTCHEON,

Speaker of the House.

Mr. Barnes, by unanimous consent, then offered the following:

Resolved, That the House hereby consent to the appointment of the Hon. Wm. T. Howell, as Speaker of this House during the illness of the Hon. Sullivan M. Cutcheon;

Which was adopted by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. Piper,
Aldrich,	Fifield,	Rankin,
Allen,	Gargett,	Raymond,
Barnes,	Green,	Spencer,
Beakes,	Griswold,	Sprague,
Bentley,	H. A. Hayden,	T. G. Smith,
Betts,	Haze,	Aura Smith,
Bliss,	Hemingway,	Stewart,
Bowen,	Hodgkinson,	Sweezey,
Buckley,	Hood,	Thomas,
Combes,	Jenison,	Toll,
Congdon,	Keeney,	Voorhies,
Cook,	Lockwood,	Warner,
Cowan,	Luther,	Welch,
Crane,	Mallory,	Weatherby,
Crego,	Mason,	Wheeler,
Davis,	McKernan,	White,
Deare,	J. C. Miller,,	Williams,
Denman,	E. G. Morton,	Wilson,
Dixon,	Mosher,	Winsor,
Dockeray,	Parsons,	Woodman,
Dow,	Pendill,	Woodworth,
Eldridge,		

67

NAYS.

0

The following members were absent at the roll call: Messrs. Buell, Burt, Chapoton, Clark, Erskine, Fitch, Fowle, Gaylord, Grinnell, Grosebeck, Henry Hayden, Howard, McMartin, H. Miller, Slafter, G. A. Smith, Abram Smith, and Tinham.

Mr. T. G. Smith asked and obtained leave of absence for Mr. Buell.

Mr. Gargett asked and obtained leave of absence for Mr. Burt.

Mr. Sweezey asked and obtained leave of absence for Mr. Chapoton for two days.

Mr. Hodgkinson asked and obtained leave of absence for Mr. Clark.

Mr. Toll asked and obtained leave of absence for Mr. Erskine for an indefinite time.

Mr. J. C. Miller asked and obtained leave of absence for Mr. Fitch.

Mr. Weatherby asked and obtained leave of absence for Mr. Fowle.

Mr. Parsons asked and obtained leave of absence for Mr. Gaylord for two days.

Mr. Deare asked and obtained leave of absence for Mr. Grosebeck.

Mr. E. G. Morton asked and obtained leave of absence for Mr. Henry Hayden.

Mr. Beakes asked and obtained leave of absence for Mr. Howard for two days.

Mr. Hemingway asked and obtained leave of absence for Mr. McMartin for two days.

Mr. Mallory asked and obtained leave of absence for Mr. H. Miller.

Mr. Bliss asked and obtained leave of absence for Mr. Slafter until Friday next.

Mr. Combs asked and obtained leave of absence for Mr. G. A. Smith.

Mr. Toll asked and obtained leave of absence for Mr. Abram Smith for an indefinite time.

Mr. Deare asked and obtained leave of absence for Mr. Tinham.

PRESENTATION OF PETITIONS.

By Mr. Mason: petition of T. Luce and others, for an appropriation of swamp land to construct a road from Richmondville to the head waters of Cass river;

Referred to the committee on public lands.

By Mr. Porter: petition of Benjamin B. Wright, and 50 other citizens of the village of Lowell, asking the repeal of an act incorporating the village of Lowell, approved March 15, 1861;

Referred to the committee on banks and incorporations.

By Mr. Barnes: resolution of the board of supervisors of

Ingham county, relative to the support of the families of drafted men;

Referred to the committee on militia.

By Mr. Porter: remonstrance of C. A. Blake, A. M. Ellsworth, S. Hunt, and 68 other citizens of Lowell, remonstrating against the repeal of the charter of said village;

Referred to the committee on banks and incorporations.

By Mr. Cook: petition of Henry Churchill, Philo Gibbs, and 58 others, citizens of Calhoun county, asking for the passage of a law levying a tax on dogs, and that the proceeds be applied to the payment for sheep killed or injured by dogs;

Referred to the committee on agriculture and manufactures.

By Mr. Lockwood: memorial of the Board of Trade of the city of Detroit, asking for the enactment of a general law for the incorporation of boards of trade and chambers of commerce;

Referred to the committee on banks and incorporations.

By Mr. Thomas: petition of Geo. W. Tompkins, Albert Shepard, and 53 others, for authority to raise by tax \$1,650, on the taxable property of Assyria, Barry county, to pay bounty to volunteers;

On motion of Mr. Thomas,

The petition was laid on the table.

By Mr. Bliss: petition of C. A. Lull, D. F. Foster, J. S. Estabrook, and 88 others, for a State swamp land road from Bridgeport to Chesening;

Referred to the committee on public lands.

By Mr. Abbott: petition of Henry Francisco and 84 others, of the township of Newton, Calhoun county, for a law to provide for raising by tax and refunding the money raised in said town to pay bounties to volunteers;

On motion of Mr. Abbott,

The petition was laid on the table.

By Mr. Mallary: petition of the president and trustees of the village of Romeo, in the county of Macomb, for the passage of an act enabling them to organize under the general law;

Referred to the committee on banks and incorporations.

By Mr. Deare: petition of John Greusel, John R. Grout, Samuel Ludlow, and 31 others, tax payers of the town of Springwells, Wayne county, asking for a law to assess and collect money for bounty purposes;

On motion of Mr. Deare,

The petition was laid on the table.

By Mr. Parsons: petition of P. S. Lyman and 82 others, citizens of Shiawassee county, asking for the enactment of a law taxing dogs;

Referred to the committee on agriculture and manufactures.

By Mr. Dockeray: petition of V. W. Caukin and others, relative to township libraries;

Referred to the committee on education.

By Mr. Sweezey: petition of Geo. H. Brooks, J. H. Earl, H. C. Turner, Eli Nichols, and 54 others, citizens of Orangeville, Barry county, praying for the passage of a law to authorize said township to raise by a tax, \$2,000 for bounties to volunteers;

On motion of Mr. Sweezey,

The petition was laid on the table.

By Mr. Woodman: petition of E. P. Hill, Chas. N. Poor, and 62 others, citizens of Decatur, asking for a law to authorize school district No. 4, of said township, in Van Buren county, to issue bonds;

Referred to the committee on banks and incorporations.

By Mr. McKernan: petition of Charles L. Wheeler, John H. Foster, and 70 others, asking the remission of certain overpaid State taxes; also, the appropriation of the specific taxes for roads and bridges;

Also, petition of R. Edwards and James R. Deveraux, for the same purpose;

Referred to the committee on the judiciary.

By Mr. Winsor: petition of James Duffy, C. A. Sheldon, and 35 others, praying for the organization of a township in Huron county;

Also, petition of Byron Bartlett and 25 others, for the same purpose;

Referred to the committee on towns and counties.

By Mr. Dixon: petition of Charles E. Bailey and 22 others, citizens of the townships of Benzonia and Frankfort, that in the act for the organization of the proposed county of Lelanaw, said townships may remain attached to the county of Grand Traverse, and to be known and described as the county of Benzie;

Referred to the committee on towns and counties.

By Mr. Dixon: petition of John Pulsipher and 47 others, residents of Antrim county, asking for the passage of a law granting a pre-emption right to settlers upon State swamp lands;

Referred to the committee on public lands.

By Mr. Stewart: petition of J. J. Peak, O. M. Beall, and 60 others, citizens of St. Joseph county, for an amendment to the game law, so as to prevent the baiting and netting of wild ducks;

Referred to the committee on State affairs.

By Mr. Fifield: petition of Henry Bishop, Henry Woodard, and 41 others, asking the repeal of act No. 194, laws of 1861, being an act to enlarge union school district No. 2, of Pontiac, in the county of Oakland;

Referred to the committee on education.

By Mr. Lockwood: memorial of Henry K. Sanger, Orville B. Dibble, H. G. Wells, and others, directors and stockholders of the Marquette and Ontonagon Railway, and also their remonstrance against transferring their land grant to another company.

On motion of Mr. Lockwood,

The memorial was ordered printed, and referred to the special committee on the Upper Peninsula.

The following is the memorial:

To the Honorable the Senate and House of Representatives of the State of Michigan:

The undersigned, directors and stockholders of the Marquette and Ontonagon Railway Company, would respectfully represent to your Honorable bodies, that said company was organized under the general railroad law, in the year 1857, and was included in the general land grant act of that year, by which the benefits of the act of Congress, conferring certain lands in the State of Michigan for railroad purposes, were conferred upon said company, with others. The company immediately caused a thorough survey, and maps, plans, and profiles of the route to be made, and the line to be staked out upon the ground, at a cost of over seven thousand (7,000) dollars, with the intention of proceeding with the actual construction of the road as soon as the financial condition of the country would permit. The business crash of 1857, however, as all well know, was an ample reason for withholding further efforts at that time. The country had but barely recovered from that shock, and business confidence had just begun to be restored, when the infamous southern rebellion, with its dark and portentous clouds broke upon the country, and all enterprises of such a character were, of necessity, suspended. The Legislature of 1861, extended the time for the construction of the first twenty miles of this, and all other land grant roads in the Upper Peninsula, until Jan. 1, 1863, in the expectation, in which all shared at that time, that within the year 1861 the rebellion would have been put down, and peace and prosperity restored. But, in this we have all been sadly disappointed, and there has been no time during this period, until now, when such an enterprise could be undertaken. We, however, assure your Honorable body, that the company we represent have not harbored the thought of abandoning the enterprise, but have every desire both to save the means we have already invested, and to preserve the land grant conceded to us for the benefit of the Upper Peninsula, in the development and prosperity of which we feel a deep interest; and we further state that our arrangements are made for

commencing the actual construction of the road during the ensuing season, in the confident expectation that you will feel the justice and propriety, under the circumstances of confusion, in which the business community has been placed, of granting to this company a reasonable extension of time, within the life of the congressional grant, for constructing its road.

We are informed that another company was organized on the second day of the present month, assuming the same name as the company we represent, excepting only the change from *rail-way* to *rail-road*, and which, under the assumption that the interests we represent had been abandoned, has applied to your honorable body to transfer the land grant of the former company to itself. This new company is composed of the same persons who control the company now known as the Marquette and Bay de Noquet Railroad Company, formerly the Iron Mountain Railroad Company, and which constructed a road from Marquette, westward seventeen (17) miles, to the Iron Hills, prior to the passage of the land grant act of Congress.

This Iron Mountain Railroad Company, however, had the shrewdness to induce the Legislature of 1859 to pass an act by which that company became consolidated with, and merged into, the Marquette and Bay de Noquet Railroad Company, one of the land grant companies, which was organized for building a railroad from Marquette, southward to Little Bay de Noquet, on Lake Michigan. The principal object of this consolidation, so far as developed, seems to have been to enable the old company, by building *three* miles of road at its western end, to obtain the benefit of the land grant to the company into which it was merged, as for constructing *twenty* miles of road, and also to enable the company to increase its rates on iron ore, from a rate then sufficiently high, to the extremely onerous rate of one dollar per ton upon iron ore, for a distance of seventeen miles, which was, in fact, done the very next season, contrary, as we are informed, to the express promises of its attorney and director, to many members of the Legislature, at the time the bill was before them, and we most respectfully remon-

strate against the transfer of the grant to the Marquette and Ontonagon Railway Company to such new company, or any other, for the reasons that the company we represent have, in good faith, expended considerable means in making surveys and plans, and have been prevented by the condition of the country, which has everywhere paralyzed similar efforts thus far, from availing itself of the grant which has acted as an inducement to enter upon the enterprise, and expend its money, and because we assure your honorable body that we have every reason to expect that we shall be able speedily to commence the work of constructing the road, and to complete as much within the next two years as those who are seeking to deprive us of our grant, propose to do; and we will consent and agree, that unless we satisfy the board of control of land grant railroads, of which his Excellency, the Governor, is the head, by the first day of August next, that we have in good faith entered upon the construction of the road, with a reasonable prospect and intention of completing twenty miles thereof within two years, that then that board shall have the power to transfer the grant to any other competent party or company. Under these conditions, we think our equities are far superior to those of the new company who are endeavoring to supplant us, and that the country will be quite as certainly benefitted by permitting us to build the road, as by transferring our rights to others.

Your memorialists therefore pray that the extension asked for by the Marquette and Ontonagon Railway Company be granted, and earnestly remonstrate against the transfer of their land grant to any other company whatever.

H. K. SANGER,
ORVILLE B. DIBBLE,
J. T. WHITING,
W. N. CARPENTER,
H. G. WELLS,
E. H. THOMSON,
T. W. LOCKWOOD.

Lansing, January 29th, 1868.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing a State road, commencing on the west line of section 19, in township 5 north, of range 15 west, in the county of Ottawa, to Scholts's bridge, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of Hugh Miller and 26 others, of Emmett county, asking for the passage of a law granting a pre-emption right to settlers upon State swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report in favor of granting the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mason, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the city of Detroit

The bill was read a first and second time by its title, and,
On motion of Mr. Mason,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Mason,

The bill was laid on the table,

Mr. Crane gave notice that on some future day he would ask leave to introduce

A bill to authorize the Adrian and Bean Creek plank road company to move their toll gates.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to authorize Emma Reed, a minor, to convey certain real estate.

Mr. Williams, unanimous consent being given, introduced Joint resolution in regard to certain property, &c., in the possession of the late State-Geologist.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Beakes,

The joint resolution was referred to the committee on geological survey.

Mr. Deare offered the following:

Resolved, That on and after to-morrow, there be two regular sessions daily, commencing at 9 A. M., and 2 P. M., until otherwise ordered.

Mr. Barnes moved to amend the resolution in such a manner as to have it provide for one session a day, commencing at 9 o'clock, A. M.;

Which amendment was accepted.

The resolution, as amended, was then adopted.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to enlarge the corporate limits of the village of Cornua, and to incorporate the same under a special charter.

Mr. Lockwood moved to take from the table,

Joint resolutions on the state of the Union;

Which motion prevailed.

On motion of Mr. Hemingway,

The joint resolutions were made the special order for to-day.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to continue in office, and to define the powers of the board of control of railroads.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill authorizing the board of supervisors of Houghton county to draw certain swamp land money, and to expend the same, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, relative to telegraph companies, and to add to said chapter, sections 20 and 21.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to incorporate the St. Patrick's society, of Houghton county.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House joint resolution No. 4, entitled

Joint resolution to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Pratt,

The joint resolution was re-committed to the committee on

ways and means, with instructions to strike out the word "three," before the word "dollars," and insert the word "two" in place thereof.

House bill No. 36, entitled

A bill to amend the charter of the Farmers' Mutual Fire Insurance Association, of Berrien county, Michigan,

Being under consideration,

On motion of Mr. Deare,

The bill was re-committed to the committee on banks and incorporations.

House bill No. 22, entitled

A bill to allow the LaFayette Benevolent Society, of the city Detroit, to alter and amend its articles of association,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Fellows,
Fifield,

Mr. Freeman,
Gargett,
Green,
Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
J. C. Miller,
E. G. Morton,
Parsons,
Pendill,
Piper,

Mr. Pratt,
Rankin,
Raymond,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Swezey,
Thomas,
Toll,
Voorhies,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker, *pro tem.*

66

NAYS.

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 15, entitled

A bill to amend section 15, chapter 150, of the revised statutes, the same being section 5651, chapter 175, of the compiled laws, in relation to the fees of justices of the peace in civil cases, .

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Spencer asked the unanimous consent of the House to strike out of line 21 of the bill, the words "when requested by either party;"

Objected to by Mr. Pratt.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Mr. Dow,
Fellows,
Fifield,
Freeman,
Gargett,
Green,
Griswold,
Harmon,
Haze,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
J. C. Miller,
E. G. Morton,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Pratt,
Rankin,
Raymond,
Spencer,
Sprague,
Aura Smith,
Stewart,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Winsor,
Speaker *pro tem.*,

60

NAYS.

Mr. Orego,
Eldridge,
Hemingway,

Mr. Williams,
Wilson,

Mr. Woodman,
Woodworth.

7

Title agreed to.

SPECIAL ORDER OF THE DAY,

Being the consideration of joint resolutions, entitled
Joint resolutions on the state of the Union.

On motion of Mr. Barnes,

The joint resolutions were made the special order for to-morrow.

GENERAL ORDER.

On motion of Mr. E. G. Morton,

The House went into committee of the whole on the general order,

Mr. Haze in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to provide for laying out and establishing a State road in the county of Lapeer;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

2. A bill to amend section ten, of chapter twelve, of the compiled laws, relative to the election of overseers of highways;

Report the same back to the House without recommendation.

3. A bill to amend section 2, of chapter 40, of the revised statutes of 1846, being section 1488 of the compiled laws, in relation to the election of superintendents of the poor.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

4. A bill to provide for the protection of game in the State of Michigan;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and to ask leave to sit again.

W. H. HAZE, *Chairman.*

Report accepted.

On motion of Mr. Hemingway,

The amendments to the first named bill were concurred in, in gross, and the bill was placed on the order of third reading.

On motion of Mr. Barnes,

The second named bill was re-committed to the committee on roads and bridges.

On motion of Mr. Porter,

The third named bill was placed on the order of third reading.

On motion of Mr. Lockwood,

Leave was granted the committee to sit again on the fourth named bill.

On motion of Mr. Fellows,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Thursday, February 5, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Grinnell and Thayer.

Mr. McKernan asked and obtained leave of absence for Mr. Grinnell.

Mr. Rankin asked and obtained leave of absence for Mr. Thayer, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Davis: petition of E. W. Merrill, and 85 other citizens of Muskegon county, asking a grant of swamp lands to improve the road from Grand Rapids to Muskegon;

Referred to the committee on public lands.

By Mr. Davis: petition of Thomas Merrill and 422 other citizens of counties on the line of Allegan, Muskegon and Traverse Bay State road, asking for the division of the same into four sections, the appointment of four commissioners, and a grant of

swamp lands for building bridges over Muskegon and White rivers;

Referred to the committee on public lands.

By Mr. G. A. Smith: petition of John M. Osborn, Samuel Cole, and 83 others, residents of the township of Pittsford, Hillsdale county, for the passage of a law to raise by tax the moneys paid to volunteers since July;

Also, petition of Zebulen Williams, Robert Cox, and 91 others, residents of the township of Wheatland, Hillsdale county, for the same purpose;

On motion of Mr. G. A. Smith,

The petitions were laid on the table.

By Mr. Dow: remonstrance of Nathan Grant and 137 others, citizens of Eaton and Barry counties, against appropriating the non-resident highway taxes on a road known as the town line road, between Vermontville and Sunfield, and running thence to Hastings, Barry county;

Referred to the committee on roads and bridges.

By Mr. H. A. Hayden: petition of A. J. Freeman, E. Van Horn, Eastman Morrill, and 51 others, for the repeal of the charter of the Jackson and Michigan plank road company;

Referred to the committee on banks and incorporations.

By Mr. Spencer: petition of Osmond Tower, J. M. Kidd, and 18 others, to change the name of Ionia County Seat to that of Ionia;

Referred to the committee on banks and incorporations.

By Mr. Parsons: petition of the officers of the village of Corunna, praying for the passage of an act to enlarge the boundaries, and increase the corporate powers of the village of Corunna;

Referred to the committee on banks and incorporations.

By Mr. Aura Smith: petition of 19 residents and tax-payers of the city of Coldwater, to so amend the charter of said city as to provide for the election of a collector for each ward of said city;

Referred to the committee on banks and incorporations.

By Mr. Lockwood: memorial of the trustees of Harper's hospital, to the Legislature;

Referred to the committee on banks and incorporations.

By Mr. Gargett: petition of W. H. Faxon and 64 others, citizens of Clinton county, asking an amendment to the 12th subdivision of act No. 217, of session laws of 1861;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to authorize the fifth ward of the city of Grand Rapids, to assess and collect certain moneys for school purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on geological survey:

The committee on geological survey, to whom was referred House joint resolution, entitled

Joint resolution in regard to certain property, &c., in the possession of the late State geologist,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. M. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,
Lansing, February 4, 1862. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill declaratory of the meaning of an act to provide for an additional circuit court commissioner in certain counties, approved March 16, 1861, and to confirm and make effectual elections had under the same;

2. A bill to amend section 109, of chapter 10, it being section 457 of the compiled laws, relative to oath of office of notaries public;

3. A bill to extend the time for the collection of taxes in the township of Grosse Point, in the county of Wayne;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first and second named bills were read a first and second time by their titles, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and,

On motion of Mr. Lockwood,

The rules were suspended, and the bill put upon its immediate passage.

The bill was read a third time, and pending the taking of the vote on the passage thereof.

Mr. Lockwood asked and obtained the unanimous consent of the House to amend the bill by striking out the word "two."

in the last line of section 1, and inserting the word "three," in place thereof.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. Pendill,
Aldrich,	Fowle,	Piper,
Allen,	Freeman,	Porter,
Barnes,	Gargett,	Pratt,
Beakes,	Griswold,	Rankin,
Bentley,	H. A. Hayden,	Raymond,
Betts,	Haze,	Spencer,
Bliss,	Hemingway,	Sprague,
Buckley,	Hood,	T. G. Smith,
Cobb,	Jenison,	Abram Smith,
Combes,	Keeney,	Aura Smith,
Congdon,	Lockwood,	Sweezy,
Cook,	Luther,	Thomas,
Cowan,	Mallary,	Toll,
Crane,	Mason,	Voorhies,
Crego,	McKernan,	Warner,
Davis,	H. Miller,	Welch,
Deare,	J. O. Miller,	Weatherby,
Denman,	John Miller,	Wilson,
Dixon,	E. G. Morton,	Winans,
Dockeray,	H. C. Morton,	Winsor,
Dow,	Mosher,	Woodworth,
Eldridge,	Parsons,	Speaker <i>pro tem.</i> ,

69

NAYS.

Mr. Stewart,	Mr. Williams,	Mr. Woodman,	3
--------------	---------------	--------------	---

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 4, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to change the name of the First Congregational So-

ciety of Saginaw city, to First Presbyterian Society of the city of Saginaw;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 4, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes thereon,

And to inform the House that the Senate has amended the same by inserting after the word "legal," in the sixth line, the following words: "as to any defect in said roll by reason of the board of supervisors of said county apportioning, and the county clerk certifying, to a per centage on the property of said township for State and county taxes, rather than the specific amount of the tax to be raised in such township, and also as to any informality by reason of said roll not having been made out and delivered to the township treasurer within the time provided by law;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Mason,

The bill was laid on the table.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 4, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to re-return to the House the following entitled bill:

A bill to legalize the tax rolls of the several townships in the county of Marquette, and the territory thereto attached, for the year 1862, and to extend the time, and authorize the collection of the same, in the county of Bleeker,

And to inform the House that the Senate insists upon its amendment to said bill.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Pendill moved that a committee of conference be appointed on the part of the House, to act with a like committee on the part of the Senate, upon the disagreement of the two Houses upon the amendment to the bill;

Which motion prevailed.

The Speaker appointed Messrs. Pendill, Warner and Stewart, as such committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mason moved to take from the table House bill, entitled
A bill to extend the time for the collection of taxes in the city of Detroit;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

The bill was passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,

Mr. Gargett,
Green,

Mr. Pendill,
Piper,

Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Bowen,
Buckley,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dockeray,
Dow,
Eldridge,
Fellows,
Fifield,
Freeman,

Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallory,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,

Pratt,
Rankin,
Raymond,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Sweezey,
Thomas,
Voorhies,
Warner,
Weatherby,
White,
Wilson,
Winans,
Winsor,
Woodworth,
Speaker *pro tem.*,
68

NAYS.

Mr. Stewart,
Wheeler,

Mr. Williams,

Mr. Woodman,

4

Title agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. E. G. Morton moved to take from the table House bill No. 52, entitled

A bill to legalize the action of townships and counties in raising bounties for volunteers;

Which motion prevailed.

Mr. E. G. Morton then moved to amend the bill by adding at the end of section two, the following: "*Provided*, That nothing herein contained shall be construed as to authorize the refunding of mere voluntary donations."

Mr. G. A. Smith moved to amend the amendment by adding thereto the following: "Unless such contributions have been made by some public subscription, or some organized system

adopted by the citizens to raise a bounty for said volunteers;"

Pending which,

On motion of Mr. Barnes,

The bill was re-committed to the committee of the whole.

Mr. Fifield gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 191, session laws of 1859, being an act to incorporate the village of Orion.

Mr. Dow gave notice that on some future day he would ask leave to introduce

A bill to provide for the improvement of a certain State road in Eaton county.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill for the extension of the time for the collection of taxes in the townships of Redford and Springwells, in the county of Wayne, for the year 1863.

Mr. Dockeray gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to regulate proceedings in certain cases of nuisance, approved March 16th, 1861.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to change the name of the village of Ionia county seat to that of Ionia.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to amend section 7, of act No. 117, of the session laws of 1859.

Mr. Denman gave notice that on some future day he would ask leave to introduce

A bill to publish the time when the sessions of the Legislature end.

Mr. Fellows, previous notice having been given, and leave being granted, introduced

A bill to provide for the use and expenditure of school money

in certain school districts, having a surplus of money arising from the two mill tax.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to enlarge the corporate limits of the village of Corunna, and to incorporate the same under a special charter.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Spencer, previous notice having been given, and leave being granted, introduced

A bill to authorize Emma Reed, a minor, to convey certain real estate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of supervisors of the county of Lapeer to convey by deed, certain real estate to school district No. 2, of the township of Lapeer.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway moved that the order of business be suspended, and that the House now proceed to the consideration of the special order of the day;

Which motion prevailed.

SPECIAL ORDER.

On motion of Mr. Hemingway,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Buckley,

The House took a recess until this afternoon, at 2½ o'clock.

AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Hemingway,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Woodman,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Friday, February 6, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

Absent at roll call, without leave, Messrs. McMartin, Pratt and Tinham.

Mr. Hemingway asked and obtained leave of absence for Mr. McMartin, for an indefinite time, on account of sickness.

Mr. Sherman asked and obtained leave of absence for Mr. Tinham, for an indefinite time.

Mr. Harmon asked and obtained leave of absence for Mr. Pratt, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Wilson: petition of J. C. Emery and 25 others, of Allison, Lapeer county, to change the name of said township to Burnside;

Referred to the committee on towns and counties.

By Mr. H. A. Hayden: petition of M. A. McNaughton, Benj. Porter, I. C. Backus, and 17 others, for commuting fines for violating the liquor law;

Referred to the committee on State affairs.

By Mr. G. A. Smith: petition of H. B. Tucker, A. Collins, L. Miller, and 42 others, citizens of Hillsdale county, praying for the passage of a law authorizing the board of supervisors to assess upon the taxable property of the several towns, the sums actually paid to promote the enlistment of volunteers in said county;

On motion of Mr. G. A. Smith,

The petition was laid on table.

By Mr. Cobb: petition of Mr. Hydenburk and 19 others, of Kalamazoo county, asking that a law may be passed giving an appeal from the decision of the corporate authorities of cities and villages to the circuit court, in regard to the laying out of streets and highways;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education to whom was referred so much of the Governor's message as relates to education,

Have had the same under consideration, and have directed me to report a bill herewith, entitled

A bill to authorize the establishment of township school districts,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 19, being

A bill to authorize the Auditor General to pay Theron Bostwick the money erroneously paid on redemption and sale of certain lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

1. A bill to legalize the organization of the county of Delta, and

to confirm proceedings under the same, and to extend the time for the collection of taxes therein;

2. A bill to authorize union school district No. 9, of the township of Grass Lake, in the county of Jackson, to issue bonds;

3. A bill to change the name of the First Congregational Society of Saginaw city, to the First Presbyterian Society of the city of Saginaw;

4. A bill to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862;

5. A bill to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.

CHAS. BETTS, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,
Lansing, February 5, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to extend the time for the collection of taxes in the city of Detroit,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 5, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill for the relief of sick, disabled, and needy soldiers,

And to inform the House that the Senate has made sundry amendments thereto, which are attached to the bill,

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Mason,

The amendments were referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to extend the time for the collection of taxes in the townships of Redford and Springwells, in the county of Wayne, for the year 1862.

The bill was read a first and second time by its title, and,

On motion of Mr. Deare,

The rules were suspended, and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Betts,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Griswold,

Mr. Piper,
Rankin,
Raymond,
Read,
Sherman,

Bowen,
Buckley,
Burt,
Chapoton,
Clark,
Combes,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fifield,
Fowle,
Freeman,

Grosebeck,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,

Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Thayer,
Thomas,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
White,
Wilson,
Winans,
Winsor,
Woodworth,
Speaker *pro tem.*,
74

NAYS.

Mr. Stewart,

Mr. Wheeler,

2

Title agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Winsor moved to take from the table House bill, entitled
A bill to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes thereon;

Which motion prevailed.

The question being upon concurring in the amendments made to the bill by the Senate,

Mr. Winsor moved that the House concur in said amendments;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,

Mr. Dow,
Fellows,
Fowle,
Freeman,
Gaylord,

Mr. Piper,
Porter,
Rankin,
Raymond,
Slafter,

Bentley,
Bowen,
Buckley,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Haze,
Hodgkinson,
Hood,
Jenison,
Lockwood,
Luther,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith
Stewart,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker, *pro tem.*,

69

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

Mr. McKernan gave notice that he would ask leave on some future day to introduce

A bill to amend section 3, of act No. 78, of the session laws of 1846, being section 2556, of chapter 83, of compiled laws.

Mr. Davis moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 5, entitled

Joint resolution authorizing the Board of State Auditors to audit and allow the claims of G. & C. Merriam, and Doughty & Straw;

Which motion prevailed.

On motion of Mr. Davis,

The joint resolution was placed on the order of third reading.

Mr. Burt gave notice that he would on some future day ask leave to introduce

A bill to lay out and establish a State road from township 14 north, of range 10 east, in Tuscola county, to Wild_Fowl_Bay,

in Huron county, and to ask an appropriation of swamp lands to build the same.

Mr. Wilson moved that the committee of the whole be discharged from the further consideration of Senate joint resolution, entitled

Joint resolution for the relief of Robert W. Cummings;

Which motion prevailed.

On motion of Mr. Wilson,

The joint resolution was placed on the order of third reading.

Mr. Winsor gave notice that on some future day he would ask leave to introduce

A bill to legalize the apportionment of State and county taxes to the several townships in the county of Huron, by the board of supervisors of said county.

Mr. Aura Smith gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to incorporate the city of Coldwater, approved February 28, 1861.

Mr. Clark gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the electors of the townships of Romulus, Huron, Van Buren and Sumpter, in the county of Wayne, and to authorize the township boards of such townships to issue orders of such townships respectively, to pay volunteers' bounties.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to authorize the general Synod of the Reformed Protestant Dutch church to hold and convey certain real estate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Spencer, previous notice having been given, and leave being granted, introduced

A bill to change the name of the village of Ionia County Seat to Ionia.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Haze, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 108 of the compiled laws of the State of Michigan, entitled of divorce.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Crego, unanimous consent being given, introduced

A bill making appropriations for the support of the Agricultural College, and the State Board of Agriculture.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures, and the committee on education, jointly.

Mr. Denman, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors, approved February 14, 1859.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Dockeray, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to regulate proceedings in certain cases of nuisance, approved March 16, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Crane, previous notice having been given, and leave being granted, introduced

A bill to authorize the Adrian and Bean Creek Plank Road Company to move their toll gates.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 38, entitled

A bill to provide for laying out and establishing a State road in the county of Lapeer,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Gaylord,	Mr. Rankin,
Allen,	Green,	Raymond,
Barnes,	Grosebeck,	Read,
Bentley,	Harmon,	Sherman,
Betts,	H. A. Hayden,	Slafter,
Bliss,	Haze,	Spencer,
Bowen,	Hemingway,	Sprague,
Buckley,	Hodgkinson,	T. G. Smith,
Chapoton,	Hood,	Aura Smith,
Clark,	Jenison,	Stewart,
Cobb,	Keeney,	Swezey,
Combs,	Lockwood,	Thomas,
Congdon,	Luther,	Toll,
Cook,	Mallary,	Voorhies,
Crane,	Mason,	Warner,
Crego,	McKernan,	Welch,
Davis,	Henry Miller,	Weatherby,
Deare,	J. C. Miller,	Wheeler,
Denman,	John Miller,	White,
Dixon,	E. G. Morton,	Williams,
Dow,	H. O. Morton,	Winans,
Eldridge,	Mosher,	Winsor,
Fellows,	Parsons,	Woodman,
Fifield,	Pendill,	Woodworth,
Fowle,	Piper,	Speaker <i>pro tem.</i> ,
Freeman,	Porter,	77

NAYS.

Mr. Cowan, 1

Title agreed to.

Senate bill No. 8, entitled

A bill to amend section 2, of chapter 40, of the revised statutes of 1846, being section 1433 of the compiled laws, in relation to the election of superintendents of the poor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fifield,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Haze,
Hemingway,
Hood,
Jenison,
Keeney,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Toll,
Voorbies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,

77

NAYS.

Mr. Cook,

Mr. Harmon,

Mr. Speaker *pro tem.*,
8

Title agreed to.

House bill No 30, entitled

A bill to authorize the building of a bridge across the Menominee river, and to appropriate six sections of swamp lands to the county of Menominee, for the purpose of building the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,

Mr. Fellows,
Fifield,
Freeman,
Gargett,

Mr. Porter,
Rankin,
Raymond,
Sherman,

Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,

Gaylord,
Green,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Hodgkinson,
Hood,
Jenison,
Keeney,
Luther,
Mallary,
Mason,
McKernan,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,
Piper,

Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thomas,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Wilson,
Winans,
Winsor,
Speaker *pro tem.*,
71

NAYS.

Mr. Denman,
Haze,

Mr. H. Miller,
J. C. Miller,

Mr. Warner,
Williams, 6

Title agreed to.

On motion of Mr. Sherman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 5, entitled

Joint resolution authorizing and instructing the Board of State Auditors to examine and allow the claim of G. & C. Merriam, for dictionaries furnished this State, and also the account of Doughty & Straw, for amount paid by them on the same,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Beakes,
Betts,
Bliss,

Mr. Dow,
Fellows,
Freeman,
Gargett,
Gaylord,
Griswold,

Mr. H. C. Morton,
Parsons,
Pendill,
Piper,
Rankin,
Raymond,

Burt,
Cobb,
Combs,
Crego,
Davis,
Denman,
Dixon,

Grosebeck,
Harmon,
H. A. Hayden,
Keeney,
Lockwood,
Luther,
E. G. Morton,

Slafter,
T. G. Smith,
Stewart,
Sweezey,
Thomas,
Wheeler,
Wilson,

89

NAYS.

Mr. Abbott,
Bentley,
Bowen,
Buckley,
Chapoton,
Clark,
Congdon,
Cook,
Cowan,
Crane,
Deare,
Dockeray,
Fifield,
Fowle,
Green,

Mr. Grinnell,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
Mosher,
Read,
Sherman,
Spencer,

Mr. Sprague,
G. A. Smith,
Aura Smith,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
White,
Williams,
Winsor,
Woodman,
Woodworth,
Speaker, *pro tem.*

43

The Speaker *pro tem.* called Mr. Davis to the chair.

Mr. Warner moved to reconsider the vote by which the House refused to pass the joint resolution;

Which motion prevailed.

Mr. Deare moved to lay the joint resolution on the table;

Which motion did not prevail.

Mr. E. G. Morton moved to re-commit the joint resolution to the committee on ways and means, with instructions to ascertain if any fraud has been practiced in the disposition and sale of the dictionaries;

Which motion did not prevail.

The question recurring upon the passage of the joint resolution,

It was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,

Mr. Gargett,
Gaylord,

Mr. Piper,
Porter,

Barnes,
Beakes,
Betts,
Bliss,
Buckley,
Burt,
Cobb,
Combs,
Cook,
Crego,
Denman,
Dixon,
Dow,
Fellows,
Freeman,

Griswold,
Harmon,
H. A. Hayden,
Hood,
Howell,
Keeney,
Lockwood,
Luther,
Mallory,
Mason,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,

Rankin,
Raymond,
Read,
Slafter,
T. G. Smith,
Stewart,
Sweezey,
Thomas,
Warner,
Welch,
Wheeler,
Wilson,
Winans,
Speaker *pro tem.*,
49

NAYS.

Mr. Abbott,
Bentley,
Bowen,
Chapoton,
Clark,
Congdon,
Cowan,
Crane,
Deare,
Dockeray,
Fifield,
Fowle,

Mr. Green,
Grinnell,
Grosebeck,
Haze,
Hemingway,
Hodgkinson,
Jenison,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
Mosher,

Mr. Sherman,
Spencer,
Sprague,
G. A. Smith,
Aura Smith,
Toll,
Voorhies,
Weatherby,
Williams,
Winsor,
Woodman,
Woodworth, 86

Pending the announcement of the vote,

Mr. Buckley moved that Mr. Haze be excused from voting;

Which motion did not prevail.

Mr. Haze then voted as recorded above.

Mr. Howell moved that Mr. Mason be excused from voting;

Which motion did not prevail.

Mr. Mason then voted as recorded above.

The Speaker *pro tem.* resumed the chair.

Mr. Barnes moved that the order of business be suspended,
and that the House now proceed to the consideration of the
special order of the day;

Which motion prevailed.

SPECIAL ORDER.

On motion of Mr. Barnes,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Crego,

The House took a recess until this evening at 7 o'clock.

—
EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Deare,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone

through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Hemingway,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Saturday, February 7, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. Heagle.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Pendill: memorial of the Pioneer Iron Company, of the Upper Peninsula, asking for relief;

Referred to the committee on ways and means.

By Mr. Welch: petition of Adam L. Roof, A. B. Robinson, C. W. Staley, Johnson Baker, and 201 others, for the laying out of a State road from the village of Muir, in Ionia county, to Houghton Lake, in the county of Roscommon;

Referred to the committee on public lands.

By Mr. Slafter: petition of George H. Wilcox and others, asking to have the name of the township of Waterloo, in the county of Tuscola, changed to Elmwood;

Referred to the committee on towns and counties.

By Mr. Toll: petition of S. M. Stevenson and 75 others, asking for a grant of land to aid in deepening the mouth of the river Menominee;

On motion of Mr. Toll,

The petition was laid on the table.

By Mr. Toll: petition of John G. Kitson and 95 others, asking for aid to build a bridge across the Menominee river;

On motion of Mr. Toll,

The petition was laid on the table.

By Mr. Dixon: petition of Morgan Bates, Reuben Goodrich, Perry Hannah, and 200 other citizens of Grand Traverse county, remonstrating against a further extension of time on the land grant to the Grand Rapids and Indiana Railroad Company, and asking for the passage of a joint resolution requesting Congress to terminate said grant, and restore the whole of the lands embraced therein to market;

On motion of Mr. Toll,

The petition was referred to the committee on public lands, and ordered printed in the journal.

The following is the petition:

To the Honorable the Legislature of the State of Michigan:

The undersigned citizens, residing in the vicinity of the Traverse Bays, and along the proposed route of the Grand Rapids and Indiana Railroad, most respectfully represent:

That on the third day of June, 1856, an act was passed by Congress, granting land to the State of Michigan for railroad purposes, and the Legislature of this State accepted said grants and granted the said land to eight several companies, February 14th, 1857, (among them the Grand Rapids and Indiana Railroad Company,) to aid in constructing railroads, principally through the northern portion of the State, and at the same time obliging each of said companies to build and put in complete running order, at least twenty miles of their road, each year from December 1st, 1857, and finish the whole December 1st, 1864.

And that said Legislature afterwards, to-wit: on the 16th day of January, 1862, passed an act extending the time for building the first twenty miles of said road, two years from and after January 1st, 1862, and obliging said company to complete only sixty miles, previous to the expiration of the time limited by said act of Congress, in which to finish their said roads. And after the expiration of almost six years, said company have not built and completed one rod of their said

road, nor are they at work on said road, or taking any steps to build the same.

And your petitioners further show, that by the operation of said land grant, about 4,000,000 of acres of choice farming lands are withheld from the actual settlers, and by the taking of only odd sections and leaving the others, it virtually excludes from the market twice that amount, or about 8,000,000 of acres, and thus condemns a large portion of northern Michigan to remain a wilderness. And your petitioners further show, that, relying on the ability and intention of the said Grand Rapids and Indiana Railroad Company to build said road and bring their said lands into market, a large portion of your petitioners have bought land of the United States, and settled and commenced improvements on the even sections within the limits of the lands of said company, and that these residents have organized schools to see see them die out for want of support, and commenced building villages to see them dwindle away from want of support from a farming community, and have been compelled to witness thousands of emigrants pass through who would have stopped within the limits of our State, were it not for the operation of said grants.

And your petitioners most respectfully petition your honorable body to pass a resolution requesting Congress to take the necessary steps to restore the whole of said lands to market.

And your petitioners most respectfully remonstrate against the passage of any act extending the time for building said road or any portion thereof.

And your petitioners will ever pray, &c.

January 12th, 1863.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 35, entitled

A bill to amend section ten, of chapter twelve of the compiled laws, relative to the election of overseers of highways;

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred

A bill to authorize the commissioners of highways of the town of Metamora, in the county of Lapeer, to re-survey and locate the territorial road across section sixteen, in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was re-committed joint resolution, entitled

Joint resolution to authorize the sale, by the State Treasurer, of 2,000 copies of the compiled laws,

With instructions to strike out the word "three," in the 3d line, and insert the word "two," in lieu thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, amended as instructed by the House, and recommend that the amendment be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The joint resolution was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

1. A bill to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes therein;

2. A bill to extend the time for the collection of taxes in the city of Detroit.

CHAS. BETTS, *Chairman*.

Report accepted.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize Emma Reed, a minor, to convey certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and that as section 23, of article 4, of the constitution, provides that the Legislature shall not authorize, by private or special law, the sale of any real estate belonging to any person, recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the General Synod of the Reformed Protestant Dutch Church to hold and convey certain real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred a Senate manuscript bill, being

A bill to amend an act entitled an act to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on public lands, approved March 15, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 24, being

A bill declaratory of the meaning of an act to provide for an additional circuit court commissioner in certain counties, ap-

proved March 16, 1861, and to confirm and make effectual elections had under the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred a Senate manuscript bill, being

A bill to amend section one hundred and nine, of chapter ten, it being section four hundred and fifty-seven of the compiled laws, relative to oath of office of notaries public,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill in relation to suits and proceedings by and against joint stock companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 16, being

A bill to amend section 2501 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act relative to levies of execution on real estate, approved January 17, 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to regulate proceedings in certain cases of nuisance, approved March 16, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass,

and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by registration of electors, approved February 14th, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to prevent the unlawful driving away of cattle and other stock, by drovers and others,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

The petition of R. Edwards, James R. Leveraux, and 220 others, asking the remission of certain over-paid State taxes, and also the appropriation of the specific taxes for roads and bridges;

Also,

The petition of Charles L. Wheeler, John H. Foster, and 70 others, for the same purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that they be referred to the committee on ways and means, to which committee they more properly belong, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitions were referred to the committee on ways and means.

By the committee on State affairs:

The committee on State affairs, to whom was referred

The petition of Daniel B. Brown, D. D. Tompkins, and 100 others, asking that the month of August be added to the first section of a bill to amend an act entitled an act for the protection of game,

Respectfully report that they have had the same under consideration, and have directed me to report that the bill reported by the committee on State affairs, now before the House, includes that amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Toll,

The petition was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

The petition of J. J. Peak, O. M. Beall, and 60 others, citizens of St. Joseph county, for an amendment to the game law, so as to prevent baiting and netting wild ducks,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer be not granted, and the petitioners have leave to withdraw the same, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Spencer,

The petition was laid on the table.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to provide for the weight, per bushel, of certain grain, dried fruit, coal, vegetables, and other farm products,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures.

The committee on agriculture and manufactures, to whom was referred

A bill to amend section 1680 of the compiled laws, being section 1 of an act entitled an act to incorporate the Michigan State Agricultural Society, approved March 31, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davis,

The bill was laid on the table.

By the committee on militia:

The committee on militia, to whom was referred the petition of John D. Switzer and others, praying for the enactment of a law exempting all members of the religious denomination known as New Menonites, from military service,

Have had the same under consideration and directed me to report the same back to the House, with the recommendation that the prayer of the petitioners be not granted.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Buckley,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary to whom was referred

A bill to amend chapter one hundred and eight of the compiled laws of the State of Michigan, entitled of divorce,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haze,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties: -

The committee on towns and counties, to whom was referred the petition of John S. Davis, Watson Robinson, and 31 others, for organizing the townships of Lincoln and Fair Haven, in the county of Huron,

Have had the same under consideration, and have instructed me herewith to report a bill in accordance with the prayer of the petitioners, entitled

A bill to organize the townships of Lincoln and Fair Haven, in Huron county,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of Ionia County Seat, to Ionia,

Respectfully report that they have had the same under consideration, and directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred
A bill to change the name of the village of Fred, in Mont-
calm county, to that of Stanton,

Respectfully report that they have had the same under con-
sideration, and have directed me to report the same back to
the House, without amendment, and recommend that it do pass,
and ask to be discharged from the further consideration of the
subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and
placed on the general order.

By the committee on towns and counties:

The committee on towns and counties to whom was referred
the petition of sundry persons of Wayne county, praying that
certain lands in the township of Springwells be attached to the
township of Greenfield, in the county of Wayne,

Respectfully report that they have had the same under con-
sideration, and have instructed me herewith to report a bill
in accordance with the prayer of the petitioners, entitled

A bill to set off certain portions of the township of Spring-
wells, and attach the same to Greenfield,

And recommend that it do pass, and ask to be discharged
from further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered
printed, referred to the committee of the whole, and placed on
the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred
the petition of J. C. Emery and 25 others, citizens of Lapeer
county, praying that the township of Allison be changed to that
of Burnside,

Respectfully report that they have had the same under con-

sideration, and have directed me to report herewith a bill in accordance with the prayer of the petitioners, entitled

A bill to change the name of the township of Allison, in Lapeer county, to Burnside,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,
Lansing, February 6, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to allow the LaFayette Benevolent Association, of the city of Detroit, to alter and amend its articles of association;

2. A bill to extend the time for the collection of taxes in the townships of Redford and Springwells, in the county of Wayne, for the year 1862,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 6, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to amend chapter 157 of compiled laws, relative to the foreclosure of mortgages by advertisement, being chapter 130 of revised statutes of 1846;

2. A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2, 1850,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 6, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to inform the House that Senators Grosvenor, Blackman and Clark have been appointed on the part of the Senate, to confer with the committee on the part of the House, relative to the disagreement between the two Houses, on amendments made by the Senate to House bill, entitled—

A bill to legalize the tax rolls of the several townships in the county of Marquette, and the territory thereto attached, for the year 1862, and to extend the time, and authorize the collection of the same, in the county of Bleeker.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mallary moved that the committee of the whole be discharged from the further consideration of House bill No. 52, being

A bill to legalize the action of towns and counties in raising bounties for volunteers;

Which motion did not prevail.

Mr. Harmon gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 1, 2, 3, 4, 5, 8 and 9, of chapter 177, title 37, of the compiled laws, entitled "of the protection of the rights and liberties of persons claimed as fugitive slaves," the same being sections 5694, 5695, 5696, 5697, 5698, 5701 and 5702 of the compiled laws;

Also,

A bill to amend sections 5577 and 6129 of the compiled laws.

Mr. H. A. Hayden gave notice that on some future day he would ask leave to introduce

A bill for the better regulation of the sale of poison.

Mr. Parsons moved to take from the table House bill, entitled

A bill to amend an act entitled an act relative to levies of execution on real estate, approved January 17, 1862;

Which motion prevailed.

On motion of Mr. Parsons,

The bill was re-committed to the committee on the judiciary.

Mr. Hemingway moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 4, being

Joint resolution recommending a revision of the Constitution of the State of Michigan;

Which motion did not prevail.

Mr. Dockeray offered the following:

Resolved, That the use of this Hall be granted to Mrs. M. J. Kutz, on Wednesday evening of next week, for a free lecture on the present national crisis;

Which was adopted.

Mr. Rankin, previous notice having been given, and leave being granted, introduced

A bill to prevent the spreading of Canada thistles in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. Dow, previous notice having been given, and leave being granted, introduced

A bill to provide for the improvement of a certain road in Eaton county.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Burt, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road from town fourteen north, of range ten east, in Tuscola county, to Wild Fowl Bay, in Huron county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Denman, previous notice having been given, and leave being granted, introduced

A bill to provide for publishing the time when sessions of the Legislature heretofore have, or hereafter may end.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Pendill, unanimous consent being given, introduced

Joint resolution for the relief of the Pioneer Iron Company. J

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Haze moved to re-consider the vote by which the House refused to pass House joint resolution No. 5, entitled

Joint resolution authorizing and instructing the Board of State Auditors to examine and allow the claim of G. & O. Merriam, for dictionaries furnished this State, and also the account of Doughty & Straw, for amount paid by them on the same;

Which motion prevailed.

On motion of Mr. Lockwood,

The joint resolution was laid on the table.

Mr. Freeman gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road from Bengal, in the county of Clinton, to Houghton Lake, in the county of Roscommon, by way of Alma and Mount Pleasant.

Mr. Davis offered the following:

Resolved, That the committee on supplies be and they are hereby requested to give early attention to the furnace, (by which this room is abundantly supplied with impure air, and fine suffocating dust, together with sundry other offensive odors,) and report to this House what measures are necessary to secure the healthful and sanitary condition of the members of this House;

Which was adopted.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate joint resolution No. 1, entitled

Joint resolution for the relief of Robert W. Cummings,

Was read a third time and passed, a majority of all the members elect voting] therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. Piper,
Aldrich,	Gargett,	Porter,
Allen,	Gaylord,	Rankin,
Barnes,	Green,	Raymond,
Bentley,	Grinnell,	Read,
Betts,	Griswold,	Spencer,
Bliss,	Grosebeck,	Sprague,
Buckley,	Harmon,	G. A. Smith,
Burt,	Henry Hayden,	T. G. Smith,
Chapoton,	Haze,	Aura Smith,
Clark,	Hemingway,	Stewart,
Cobb,	Hodgkinson,	Sweezy,
Combes,	Hood,	Toll,
Congdon,	Jenison,	Voorhies,
Cook,	Keeney,	Warner,
Cowan,	Luther,	Welch,

Crane,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Fifield,

Mallary,
McKernan,
H. Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,

Wheeler,
White,
Wilson,
Winans,
Woodworth,
Speaker pro tem,
68

NAYS.

Mr. Crego,
J. C. Miller,

Mr. John Miller,
Williams,

Mr. Woodman,

5

Title and preamble agreed to.

On motion of Mr. Warner,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House joint resolution No. 4, entitled

Joint resolution to authorize the sale, by the State Treasurer, of 2,000 copies of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Chapoton,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,

Mr. Pendill,
Piper,
Porter,
Rankin,
Raymond,
Read,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Anra Smith,
Stewart,
Sweezay,
Thomas,
Toll,
Voorhies,
Welch,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,

Fellows,
Fifield,
Freeman,
Gargett,

H. C. Morton,
Mosher,
Parsons,

Woodman,
Woodworth,
Speaker *pro tem.*,
79

NAYS.

0

Title agreed to.

On motion of Mr. Stewart,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Senate bill, entitled

A bill to amend an act entitled an act to amend section sixty-three, of chapter sixty, of the revised statutes of 1848, being section 2505 of the compiled laws, relative to trespasses on public lands, approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bowen,
Buckley,
Chapoton,
Clark,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Fellows,
Fifield,
Freeman,
Gargett,

Mr. Gaylord,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,
Porter,
Rankin,

Mr. Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Anra Smith,
Stewart,
Sweezey,
Thomas,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker, *pro tem.*
77

NAYS.

0

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER.

On motion of Mr. Hemingway,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

F. H. RANKIN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Dow,

The House took a recess until this afternoon, at 2½ o'clock.

AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker *pro tem*.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Welch,

The House went into committee of the whole on the special order,

Mr. Rankin in the chair.

57

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have directed their chairman to report the same back to the House, and ask to be discharged from their further consideration.

F. H. RANKIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House adjourned until Monday morning, at 9 o'clock.

Lansing, Monday, February 9, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem.*

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. McKernan and T. G. Smith.

Mr. H. Miller asked and obtained leave of absence for Mr. McKernan until to-morrow.

Mr. Rankin asked and obtained leave of absence for Mr. T. G. Smith, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Toll: petition of I. H. Moulton, Thomas Ashton, and 85 others, praying for an extension of the Ste Ignace and Millekokie State road to Little Bay de Noc, in Delta county;

Referred to the committee on public lands.

By Mr. McMartin: petition of H. E. Blackman, and 40 other citizens of Trowbridge, Allegan county, asking that a law be passed to levy a tax in said town, to aid volunteers;

On motion of Mr. McMartin,

The petition was laid on the table.

By Mr. J. C. Miller: petition of John D. Ross, L. P. Alexander, and 65 others, praying for the passage of a law re-incorporating the village of Buchanan;

Referred to the committee on banks and incorporations.

By Mr. Dixon: petition of Perry Hannah and 64 others, of Grand Traverse county, asking for the division of the Allegan, Muskegon and Traverse Bay State road, into four sections, the appointment of a commissioner for each, and a grant of swamp lands for building bridges over Muskegon and White rivers;

Referred to the committee on public lands.

By Mr. Fowle: memorial of Wm. R. Montgomery, of Hillsdale county, requesting that the law may be so amended as to extend the time for the redemption of lands sold for taxes;

Referred to the committee on ways and means.

By Mr. Gaylord: petition of Newell Barnard, John Moore, A. A. Parsons, and 45 others, asking for a further appropriation of swamp lands to aid in the construction of the State road from Saginaw City to St. Charles, in the county of Saginaw;

Referred to the committee on public lands.

By Mr. Toll: petition of the board of supervisors of Delta county, endorsing the petition for the extension of the Ste Ignace and Millekokie State road, and asking that the same be called the Mackinaw and Delta State road;

Referred to the committee on public lands.

By Mr. Combs: petition of Nancy H. Newell, and 76 others, requesting a proposal to the people, of such amendments to the Constitution, as will secure to woman an equal right in the elective franchise with man;

Referred to the committee on the judiciary.

By Mr. Davis: petition of W. Cleveland, and 70 other citizens, in counties along the line of the Allegan, Muskegon and Traverse Bay State road, praying that said road may be divided into four sections, a commissioner appointed for each, and for a grant of swamp lands, for building bridges over Muskegon and White rivers;

Also, petition of N. L. Avery, and 44 others, for the same purpose;

Also, petition of Nathan Whitney, and 35 others, citizens of the township of Cazinovia, Muskegon county, for the same purpose;

Also, petition of Thomas D. Smith, and 60 others, citizens of Muskegon and other counties, for the same purpose;

Which were severally referred to the committee on public lands.

By Mr. Burt: petition of Record Hoy and 41 others, praying for a swamp land road from Alma, in Gratiot county, to Mt. Pleasant, Isabella county;

Referred to the committee on public lands.

By Mr. Pratt: petition of William S. Edwards and 197 others, citizens of Hillsdale county, praying for an amendment of the militia law, so that no persons shall be exempt from draft except judges of the supreme court and circuit courts, and judges of probate;

Referred to the committee on militia.

REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred the petition of Conrad Gulmire,

Respectfully report that they have had the same under consideration, and from the evidence presented to them in said petition, have directed me to report the accompanying joint resolution, entitled

Joint resolution for the relief of Conrad Gulmire,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The joint resolution was read a first and second time by its

title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the improvement of a certain road, in Eaton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of H. Barlow and others, asking that the Commissioner of the State Land Office be authorized to deed certain swamp lands to Cynthia Joslin, have had the same under consideration, and have directed their chairman to report in favor of granting the prayer of the petitioners, and ask leave to bring in a joint resolution, entitled

Joint resolution to authorize the Commissioner of the State Land Office to issue a patent to Cynthia Joslin,

And recommend its passage, and ask to be discharged from its further consideration.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

The petition was laid on the table.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as cor-

rectly enrolled, signed and presented to the Governor, the following bills:

1. A bill to allow the Lafayette Benevolent Society, of the city of Detroit, to alter and amend its articles of association;

2. A bill to extend the time for the collection of taxes in the townships of Redford and Springwells, in the county of Wayne, for the year 1862;

3. A bill to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2, 1850.

CHAS. BETTS, *Chairman*.

Report accepted.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for publishing the time when sessions of the Legislature heretofore have, or hereafter may end,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to prevent the spreading of Canada thistles in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

REPORT OF SELECT COMMITTEES.

The select committee to whom was referred a petition relative to the formation of a judicial circuit in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and directed me to report the accompanying bill, entitled

A bill to establish a judicial circuit in the Upper Peninsula,
And recommend its passage, and ask to be discharged from the further consideration of the subject.

W. T. HOWELL, *Chairman.*

By A. SHERMAN.

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. J. C. Miller offered the following:

Resolved, That whatever may be our individual opinions of the measures adopted for carrying on the war, we pledge all the resources of the State of Michigan, both of men and means, to the general government, for the purpose of crushing out the rebellion, and restoring the Union;

Which was adopted.

Mr. Gargett gave notice that on some future day he would ask leave to introduce

A bill for a State road from Midland, via Dick's Forks, to Houghton Lake, in Roscommon county, and an appropriation of swamp lands, for the construction of the same.

Mr. Green offered the following:

Resolved, That the committee on the judiciary be and they

are hereby required, to examine into the constitutionality and expediency of a law, allowing the soldiers who are now, or may be hereafter in the service of the United States, to vote at the general elections, hereafter to be holden in this State, and to report by bill, or otherwise;

Which was adopted.

Mr. Stewart gave notice that on some future day he would ask leave to introduce

A bill to amend section 5, of chapter 20, of the compiled laws, in relation to the assessment of highway labor.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of act No. 125, of the laws of 1861.

Mr. Pratt gave notice that on some future day he would ask leave to introduce

A bill to repeal that provision of the statute authorizing parties to be witnesses for themselves in their own causes.

Mr. Pratt gave notice that on some future day he would ask leave to introduce

A bill to prevent hogs from running at large.

The Speaker *pro tem.*, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend section 26, and repeal sections 27, 28 and 29, of chapter 150, title 29, of the revised statutes of 1846.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 10 of the compiled laws of 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Mason, unanimous consent being given, introduced

A bill to amend section 1662 of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. H. A. Hayden, previous notice having been given, and leave being granted, introduced

A bill for the better regulation of the sale of poisons.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Slafter, unanimous consent being given, introduced

A bill to attach certain territory, in the township of Tuscola, to the township of Vassar, for highway purposes.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Hemingway, unanimous consent being given, introduced

A bill to amend an act giving circuit courts jurisdiction in actions of ejectment, approved April 2, 1849.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, unanimous consent being given, introduced

A bill to amend sections 27, 38 and 50, chapter 184 of the compiled laws, in relation to actions of ejectment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gargett, unanimous consent being given, introduced

A bill to amend an act entitled an act to amend the few sections of the compiled laws that have not already been revised at this session.

On motion of Mr. Burt,

The bill was laid on the table.

Mr. Burt, unanimous consent being given, introduced

Joint resolution requesting the Commissioner of the General Land Office to bring certain lands in Isabella county into market.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Mallary moved that the committee of the whole be dis-

charged from the further consideration of House bill No. 52, being

A bill to legalize the action of towns and counties in raising bounties for volunteers;

Which motion prevailed.

Mr. Welch moved to re-consider the vote last taken;

Which motion did not prevail.

On motion of Mr. E. G. Morton,

The bill was made the special order for to-morrow, at 11 o'clock.

Mr. Sherman gave notice that he would on some future day ask leave to introduce

A bill to amend section 20 of the general mining law, being chapter 63 of the compiled laws.

Mr. Slafter gave notice that on some future day he would ask leave to introduce

A bill to change the name of the township of Waterloo, in the county of Tuscola, to Elmwood.

Mr. Toll gave notice that on some future day he would ask leave to introduce

A bill to extend the line, and to change the name of the Ste. Ignace and Millkokie State road.

UNFINISHED BUSINESS,

Being the consideration of joint resolutions, entitled

Joint resolutions on the state of the Union;

On motion of Mr. E. G. Morton,

The joint resolutions were made the special order for this evening, at 7 o'clock.

The House had also under consideration, upon this order, the following resolution:

Resolved, That the 40th rule of this House be amended, by striking out the word "militia," in the last line, and inserting in lieu thereof, the words "military affairs;"

The resolution was adopted.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole on the general order,

Mr. Mallary in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to provide for the protection of game in the State of Michigan;

Report the same back to the House without recommendation.

2. A bill in relation to assignments, and to compel assignees to give security;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

3. A bill to amend act number one hundred and thirty, session laws eighteen hundred and fifty-nine, approved February 12th, being an act entitled an act to provide for the improvement of Bridgeport and Forestville State road,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

CHARLES F. MALLARY, *Chairman.*

Report accepted.

Mr. Eldridge moved that the first named bill be referred to a special committee of five;

Which motion prevailed.

On motion of Mr. Hemingway,

The amendments made to the second named bill were concurred in, *in gross*, and the bill placed on the order of third reading.

On motion of Mr. Erskine,

The third named bill was placed on the order of third reading.

On motion of Mr. Read,

The House took a recess until this evening, at 7 o'clock.

EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

On motion of Mr. Williams,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN. *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Winans,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Tuesday, February 10, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem.*

Prayer by Rev. Mr. Slocum.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Cook: petition of L. H. Jones and others, citizens of Calhoun county, for a grant of swamp lands to certain colleges;

Referred to the committee on public lands.

By Mr. Fowle: memorial of the citizens of the township of Reading, Hillsdale county, requesting the legalization of a meeting of citizens of said town to raise a war bounty;

On motion of Mr. Fowle,

The memorial was laid on the table.

By Mr. Parsons: petition of J. H. Hood, J. W. Waters, and 155 others, citizens of Shiawassee county, for the establishment of a State road, and asking for an appropriation of swamp land to build the same;

Referred to the committee on public lands.

By Mr. Freeman: petition of H. C. Peck and 58 others, citizens of Clinton county, asking for a grant of swamp lands to certain colleges;

Referred to the committee on public lands.

By Mr. Deare: petition of Thomas Bacon and 19 others, residents of Wayne county, for a law to prohibit the taking of fish in any of the creeks or rivers in said county, with nets, seines, traps or dams, or in any other way than by spear, hook or gun;

Referred to the committee on State affairs.

By Mr. Allen: petition of L. Moore and 38 others, citizens of Washtenaw county, asking for a grant of swamp lands to certain colleges;

Referred to the committee on public lands.

By Mr. Fifield: petition of Lorin L. Treat, G. H. Emmons, and 28 others, asking for the repeal of act No. 191, of session laws of 1859, being an act to incorporate the village of Orion;

Referred to the committee on banks and incorporations.

By Mr. Fifield: petition of Charles England, A. D. Chapman, and 19 others, inhabitants of Waterford, Oakland county, asking for the passage of a law to prevent the flowing of lands on the margin of Clinton river, below the mills in said township;

Referred to the committee on the judiciary.

By Mr. Welch: petition of James Bentley and 26 others, to

discontinue a State road running through the south-west quarter of section 28, in the town of Ronald, in Ionia county;

Referred to the committee on roads and bridges.

By Mr. Haze: petition of John W. Mosher, J. W. McGregor, and 20 others, citizens of Clarkston, Oakland county, asking an appropriation of swamp land to aid in the support of the colleges located in Kalamazoo, Albion, Olivet, Adrian and Hillsdale;

Referred to the committee on public lands.

By Mr. Woodworth: petition of J. Boynton and 40 others, citizens of Ingham county, asking for a grant of swamp lands to certain colleges;

Referred to the committee on public lands.

By Mr. Wilson: petition of William Taylor and others, citizens of Lapeer county, asking a grant of swamp lands to certain colleges;

Referred to the committee on public lands.

By Mr. Slafter: petition of Simeon Botsford and 116 others, for a State road from Portsmouth, in Bay county, to the village of Forrestville, in Sanilac county, and for a grant of swamp lands to assist in the construction of the same;

Referred to the committee on public lands.

By Mr. Allen: petition of the board of supervisors of Washtenaw county, asking for the passage of a law to prevent the destruction of fish, and to facilitate their passage up streams;

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred a petition of Daniel Martin and 31 others, for the repeal of so much of chapter 10 of the compiled laws, as provides for giving authority to a township to borrow or raise by tax one thousand dollars, to build and repair roads and bridges; also, one other petition for the same purpose, have had the same under consideration, and it is the opinion of your committee

that act No. 163, section 18, of session laws 1861, approved March 15th, 1861, will meet the prayer of the said petitioners, and have instructed me to report the same back to the House, without further action, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Weatherby,

The petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to enlarge the corporate limits, and to incorporate the village of Corunna under a special charter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Adrian and Bean Creek Plank Road Company to move their toll gates,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of John D. Ross and others, citizens of Buchanan, in the county of Berrien, praying for a charter for the village of Buchanan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill for the incorporation of the village of Buchanan, in the county of Berrian, and to repeal all acts and parts of acts inconsistent herewith,

And recommend, that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of sundry citizens of the village of Howell, in the county of Livingston, praying for an act of incorporation for said village,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to incorporate the village of Howell,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of the president and trustees of the village of Romeo, in the county of Macomb, for the passage of an act enabling them to organize under the general law,

Respectfully report that they have had the same under consideration, and have directed me to report a bill, in conformity with the prayer of the petitioners, entitled

A bill to authorize the president and trustees of the village of Romeo, in the county of Macomb, to organize under the general law for the incorporation of villages,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize school district number 4, of the township of Decatur, in the county of Van Buren, to issue bonds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to continue in office and to define the powers of the board of control of railroads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to to whom was referred the memorial of the board of trade of the city of Detroit, asking the enactment of a general law for the incorporation of boards of trade and chambers of commerce.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill for the incorporation of boards of trade and chambers of commerce.

And recommend that said bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The memorial was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 1 of an act to incorporate the village of Dundee, approved February tenth, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 2, of act No. 159, of session laws of 1861, granting right of way to the Grand River Valley Railroad Company on certain lands of this State, and other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abram Smith,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections 5 and 6, of chapter 70, of the compiled laws, in relation to telegraph companies, and to add to said chapter, sections 20 and 21,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of M. A. McNaughton, Benj. Porter, I. C. Backus, and 17 others, for commuting fines for violating the liquor law, would respectfully report that they have had the subject under consideration, and the committee are of the opinion that such an act as your petitioners ask for would be in violation of the 47th section, of the 4th chapter, of the constitution. Your committee would therefore report the petition back to the

House, and ask that the prayer of the petitioners be not granted, and that they have leave to withdraw the same, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed

A bill to amend an act entitled an act relative to levies of execution on real estate, approved January 17th, 1862,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relative to the trial of offences committed against joint stock companies or associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was re-committed House bill No. 10, entitled

A bill for the relief of sick, disabled and needy soldiers,

Together with the amendments made thereto by the Senate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the House concur in all the amendments except the second—this being to strike out “twenty,” and insert “ten,” in the first line of section 1, of the bill—in this they recommend that the House non-concur. In the opinion of your committee, the other amendments do not change the nature of the bill, and many of them are necessary only to change the phraseology, to correspond with the changes made in the first, and some other sections. But the amendment reducing the sum placed at the disposal of the Governor, from \$20,000 to \$10,000, should not be concurred in, for the reason that the whole may be needed before the next regular session of the Legislature, and for want thereof, a special session might be rendered necessary, to provide it.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

Mr. Read moved that the House concur in the amendments made to the bill by the Senate, except the amendment to strike out the word “twenty” in the first line of section one, and insert the word “ten” in lieu thereof;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,

Mr. Fiskeld,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,

Mr. Mosher,
Parsons,
Pendill,
Pratt,
Piper,
Rankin,
Raymond,
Read,
Slater,
Spencer,
Sprague,

• Chapoton,	Henry Hayden,	Abram Smith,
Clark,	Haze,	Aura Smith,
Cobb,	Hemingway,	Stewart,
Combs,	Hodgkinson,	Sweezey,
Congdon,	Hood,	Thomas,
Cook,	Jenison,	Tinham,
Cowan,	Keeney,	Voorhies,
Crane,	Lockwood,	Warner,
Crego,	Luther,	Welsh,
Davis,	Mallary,	Weatherby,
Deare,	McKernan,	Wheeler,
Denman,	McMartin,	White,
Dixon,	Henry Miller,	Williams,
Dockeray,	J. C. Miller,	Winans,
Dow,	John Miller,	Woodman,
Eldridge,	E. G. Morten,	Woodworth,
Erskine,	H. C. Morton,	Speaker <i>pro tem.</i> ,
Fellows,		85

NAYS.

0

The question recurring upon the adoption of the amendment to strike out the word "twenty," in the first line of section one of the bill, and insert the word "ten" in lieu thereof,

It was not adopted.

MESSAGE FROM THE SENATE.

The Speaker *pro tem.* announced the following:

SENATE CHAMBER,
Lansing, February 7, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend sections 1, 3, 4, 5, 6, 7 and 8, of act No. 283, of session laws of 1859, entitled an act for the construction of a State road from St. Louis, in Gratiot county, by way of Alma and the geographical centre of Montcalm county, to the Big Rapids on the Muskegon river, and add one new section, to stand as section 9,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on public lands.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. J. C. Miller moved that the committee of the whole be discharged from the further consideration of House bill, entitled

A bill for the incorporation of the village of Buchanan, in the county of Berrien, and to repeal all acts and parts of acts inconsistent herewith;

Which motion prevailed.

On motion of Mr. J. C. Miller,

The bill was placed on the order of third reading.

Mr. Mallary moved that the committee of the whole be discharged from the further consideration of House bill, being

A bill to authorize the president and trustees of the village of Romeo, to organize under the general law;

Which motion prevailed.

On motion of Mr. Mallary,

The bill was placed on the order of third reading.

Mr. Parsens moved that the committee of the whole be discharged from the further consideration of House bill, being

A bill to enlarge the corporate limits, and to incorporate the village of Corunna under a special charter;

Which motion prevailed.

On motion of Mr. Parsons,

The bill was placed on the order of third reading.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to prohibit the taking of fish with seines, nets or traps, in the rivers and creeks in the county of Wayne.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of the county of Wayne, to create and establish a sinking fund, for the purpose of paying the indebtedness of said county, made on account of the volunteer's family relief fund, and for other purposes.

Mr. Hemingway moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 4, being

Joint resolution recommending a revision of the constitution of the State of Michigan;

Which motion prevailed.

On motion of Mr. Hemingway,

The joint resolution was placed on the order of third reading.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to enable owners of real estate to so plat the same for village purposes, as to prevent the sale of intoxicating liquors thereon.

Mr. Warner gave notice that on some future day he would ask leave to introduce

A bill to encourage manufactures.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to regulate the taxing of real estate, and to provide for refunding of moneys illegally collected thereon.

Mr. Read gave notice that on some future day he would ask leave to introduce

A bill to amend section 4, of act No. 163, relative to laying out highways.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to relieve the order-holders of the Lexington and Lepeer, and other State roads, in Sanilac county.

Mr. Barnes offered the following:

Resolved, That the resolutions on the state of the Union be made the special order for this evening, at 7 o'clock;

Which was adopted.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to provide for the more equal distribution of the volunteer relief fund.

Mr. Mason, unanimous consent being given, introduced

A bill to amend an act entitled an act to revise the charter of the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Beakes, previous notice having been given, and leave being granted, introduced

A bill to amend the charter of the city of Ann Arbor.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Toll, previous notice having been given, and leave being granted, introduced

A bill to extend the line and to change the name of the Ste Ignace and Millkokie State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Slafter, previous notice having been given, and leave being granted, introduced

A bill to change the name of the township of Waterloo, in the county of Tuscola, to Elmwood.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Woodworth, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of supervisors of the county of Ingham to restore the distinction between town and county poor.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. H. A. Hayden, unanimous consent being given, introduced

A bill for the appointment of trustees by the probate courts of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend section 8, of act No. 125, of the laws of 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Stewart, previous notice having been given, and leave being granted, introduced

A bill to amend section 5, of chapter 20, of the compiled laws, in relation to assessment of highway labor.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Fifield, previous notice having been given, and leave being granted, introduced

A bill to repeal act No. 191, of the session laws of 1859, being an act to incorporate the village of Orion, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Winsor, previous notice having been given, and leave being granted, introduced

A bill to legalize the apportionment of State and county taxes in the county of Huron, and to extend the time for the collection of taxes in said county.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House joint resolution No. 4, as follows:

JOINT RESOLUTION recommending a revision of the Constitution of the State of Michigan.

Whereas, In the opinion of the Legislature, the time has arrived when a general revision of the constitution of the State of Michigan is necessary, for the better government of the people of the State; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That we recommend to the qualified electors of the State of Michigan, at the next general election, to be held on the first Monday of April, 1863, to vote for or against a convention, to be called for the purpose of making a general revision of the constitution of this State.

Resolved, That the above recommendation be submitted to the electors of this State, at the next general election, as provided in section 2, article 20, of the constitution, which said election will be held on the first Monday of April, 1863; and the Secretary of State is hereby required to give notice of the same, by transmitting to the sheriff of each organized county in this State, by mail, or otherwise, a notice in writing, or a printed circular, containing these resolutions, which sheriffs are severally, hereby required, as soon as may be after the receipt of such notice, to cause a notice in writing, or printed, to be delivered to the township clerk of each township, and to one of the inspectors of election in each ward in any city, which notice shall contain, in substance, the notice received by such sheriff; and the inspectors of election shall prepare a suitable ballot-box for the reception of ballots cast for or against said recommendation; and each person voting for said recommendation shall have written or printed on his ballot the words "for a convention;" and those voting against said recommendation, shall have written or printed on their ballots the words

"against a convention." The votes shall be canvassed, and returns made, in all respects as in elections for Governor and Lieutenant Governor.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Cook,
Cowan,
Davis,
Deare,
Dixon,
Dockeray,
Dew,

Mr. Erskine,
Fellows,
Fowle,
Freeman,
Gargett,
Gaylord,
Griswold,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
McKernan,
McMartin,
J. O. Miller,

Mr Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Read,
Slafter,
Sprague,
Aura Smith,
Sweezey,
Thomas,
Weatherby,
Wheeler,
Winsor,
Woodworth,
Speaker, *pro tem.*,
55

NAYS.

Mr. Barnes,
Clark,
Combs,
Congdon,
Crane,
Crego,
Denman,
Eldridge,
Fifield,
Green,

Mr. Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
H. Miller,
E. G. Morton,
Raymond,
Sherman,

Mr. Spencer,
G. A. Smith,
Abram Smith,
Stewart,
Tinham,
Toll,
Voorhies,
Welch,
Williams,
Woodman,
80

Title and preamble agreed to.

House bill No. 31, entitled

A bill to amend act number one hundred and thirty, session laws of eighteen hundred and fifty-nine, approved Feb. 12, being an act entitled an act to provide for the improvement of Bridgeport and Forestville State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. Parsons,
Aldrich,	Gargett,	Pendill,
Allen,	Gaylord,	Piper,
Bentley,	Grinnell,	Porter,
Betts,	Griswold,	Rankin,
Bliss,	Harmon,	Raymond,
Bowen,	H. A. Hayden,	Read,
Buckley,	Henry Hayden,	Sherman,
Buell,	Haze,	Slafter,
Burt,	Hemingway,	Spencer,
Chapoton,	Hodgkinson,	G. A. Smith,
Clark,	Hood,	Abram Smith,
Combs,	Jenison,	Aura Smith,
Congdon,	Lockwood,	Stewart,
Cook,	Luther,	Sweezy,
Cowan,	Mallory,	Tinham,
Crane,	Mason,	Toll,
Crego,	McKernan,	Voorhies,
Davis,	McMartin,	Welch,
Deare,	H. Miller,	Weatherby,
Dixon,	J. C. Miller,	Winans,
Dockeray,	John Miller,	Winsor,
Dow,	E. G. Morton,	Woodman,
Erskine,	H. C. Morton,	Woodworth,
Fellows,	Mosher,	Speaker <i>pro tem.</i> ,
Fowle,		76

NAYS.

Mr. Williams,

1

Title agreed to.

On motion of Mr. Erskine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize school district No. 4, of the township of Decatur, in the county of Van Buren, to issue bonds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fowle,	Mr. Piper,
Aldrich,	Freeman,	Porter,

Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray
Dow,
Eldridge,
Erskine,
Fifield,

Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
Mason,
McMartin,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker *pro tem.*,
82

NAYS.

Mr. Henry Hayden, Mr. H. Miller,

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 28, entitled

A bill in relation to assignments, and to compel assignees to give security,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,

Mr. Fellows,
Fifield,
Fowle,
Freeman,
Gargett,

Mr. Parsons,
Pendill,
Piper,
Porter,
Rankin,

Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Chapoton,
Clark,
Cobb,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Erskine,

Gaylord,
Green,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Toll,
Voorhies,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodman, 78

NAYS.

Mr. Luther,

Mr. Sherman,

Mr. Speaker *pro tem.*,
8

Title agreed to.

House bill, entitled

A bill to authorize the president and trustees of the village of Romeo, in the county of Macomb, to organize under the general law for the incorporation of villages,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Chapoton,
Clark,
Combs,

Mr. Fowle,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Aura Smith,

Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,
Fifield,

Keeney,
Lockwood,
Luther,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,

Stewart,
Sweezey,
Toll,
Voorhies,
Warner,
Weatherby,
Wheeler,
White,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker *pro tem.*,

72

NAYS.

0

Title agreed to.

On motion of Mr. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to enlarge the corporate limits, and to incorporate the village of Corunna, under a special charter,

Being under consideration,

Mr. Lockwood moved that the bill be read by its title only;

Pending which,

The hour having arrived for the consideration of the special order,

On motion of Mr. Sweezey,

The House went into committee on the whole on the

SPECIAL ORDER OF THE DAY,

Mr. Winans in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to legalize the action of towns and counties in raising bounties for volunteers;

Have made sundry amendments thereto, and have directed

their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

E. B. WINANS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. G. Morton,

The amendments made to the bill by the committee were concurred in, *in gross*.

Mr. Deare offered the following as a substitute for section 4 of the bill:

Section 4. It shall be the duty of the township board in any township, and the common council of any city, in which moneys have been paid, advanced, or pledged by the inhabitants of any such township or city, as provided in section 2 of this act, at any regular meeting of such township boards or common councils of such cities, to be held at any time previous to the day on which a vote shall be taken, as provided for in section 3 of this act, to audit and allow the claims of all residents of their respective townships or cities which may be presented for that purpose, for money actually paid by such claimants, or due as a bounty to volunteers for enlisting in the military service of the United States, since the 1st day of July, A. D. 1862, and previous to the passage of this act, which allowance shall be in the same manner as other ordinary claims are allowed, upon satisfactory proof that such claim is just and proper, according to the provisions of this act; and it shall be their duty to ascertain and determine the amount and amounts so audited and allowed, and to announce the same to the qualified electors of the said townships or cities, at the opening of the polls in said townships or cities, at which a vote shall be taken as herein provided for;

Which was not adopted.

On motion of Mr. Hemingway,

The bill was ordered engrossed for a third reading.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole on the general order,

Mr. Denman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water craft;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and to ask leave to sit again.

H. B. DENMAN, *Chairman*.

Report accepted and leave granted to the committee to sit again.

The Speaker *pro tem.* announced Messrs. Eldridge, Davis, Fellows, E. G. Morton and Buckley, as the special committee on House bill, entitled

A bill to provide for the protection of game in the State of Michigan.

Mr. Davis gave notice that on to-morrow he should move to re-consider the vote by which the House passed House bill No. 28, entitled

A bill in relation to assignments, and to compel assignees to give security.

On motion of Mr. E. G. Morton,

The House took a recess until this evening, at 7 o'clock.

EVENING SESSION.

7 o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.*

Roll called : quorum present.

Mr. Luther asked and obtained leave of absence for himself, for three days.

SPECIAL ORDER.

On motion of Mr. Dow,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Winans,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Wednesday, February 11, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Voorhies: petition of Mr. Montgomery, Charles Palmer, and 40 others, citizens of Oakland county, asking for the passage of a law establishing a just system of taxation, based on material property;

Referred to the committee on ways and means.

By Mr. Griswold: petition of D. J. Holden, Albert A. Dorrance, and 28 others, keepers, officers, &c., of the State Prison, for an increase of their salaries;

Referred to the committee on State Prison.

By Mr. Fellows: petition of Charles W. Barber, A. H. Hill, and 75 others, of the township of Alamo, Kalamazoo county, asking the passage of a law to raise a volunteer fund, by levying a tax on said township;

On motion of Mr. Buckley,

The petition was laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, having under consideration the following resolution:

Resolved, That it be the duty of the judiciary committee to report on the propriety of so amending the statute, as to make it obligatory on the judges of this State to make all their charges to juries, and decisions, in writing; also, whether some enactment is not necessary to compel the chancery judges to make a decision on all questions that come before them, within a given time,

Which was adopted by the House, January 12th, respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying bill, providing the time in which causes must be decided, entitled

A bill to amend section 3436 of the compiled laws,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3411, chapter 113, of the compiled laws, and to amend section 1, of act No. 92, defining the limits, jurisdiction and powers of circuit judges, approved February 10, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, recommending that the substitute be adopted, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Nancy H. Newell and seventy-six others, requesting a proposal to the people, of such amendments of the constitution as will secure to woman an equal right in the elective franchise, with man,

Respectfully report that they have had the same under consideration and have directed me to report, that, in the opinion of the committee, the joint resolution which has already passed the House, submitting to the electors the question of a revision of the constitution, obviates the necessity of submitting any more amendments to the present constitution, and that the committee have full confidence that the next constitutional convention will carefully consider the propriety of incorporating in our new fundamental law, not only the reform requested in the accompanying petition, but all others which the growing wants of our commonwealth, or the advancing civilization of the age, may require. Your committee therefore report the petition back to the House without further recommendation than that the petitioners patiently await the time when the citizens of Michigan shall be brought up to the high social, moral, and religious status suggested in the stating clause of their petition, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 28, 36, 37, 39 and 50, of chapter 134, of the compiled laws, in relation to the action of ejectment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act giving circuit courts jurisdiction in actions of ejectment, approved April 2, 1849,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to legalize the apportionment of State and county taxes in the county of Huron, and to extend the time for the collection of taxes in said county.

Respectfully report that they have had the same under con-

aideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill for the better regulation of the sale of poisons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, together with the accompanying substitute, and recommend that the substitute do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Toll,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill for the appointment of trustees, by the probate courts of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1662, of chapter 52, of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of G. W. Buck and 65 others, praying for a law to authorize the Governor to appoint a commissioner for the west part of the Sand Beach and Bay City State road, in Huron county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, granting the prayer of the petitioners, entitled

A bill to authorize the Governor to appoint a commissioner for the west part of the Sand Beach and Bay City State road, and to allow said commissioner to contract and work said road from the west,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend Sec. 5, of chapter 20, of the compiled laws in relation to assessment of highway labor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of James Bentley and 20 others, to discontinue a State road, running through the south-west quarter of section twenty-eight, in the township of Ronald, in Ionia county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with a bill, in accordance with the prayer of the petitioners, entitled

A bill to discontinue a State road, running through the south-west quarter of section 28, in the town of Ronald, Ionia county,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred that portion of the Governor's message, relating to a uniform State bounty to volunteers,

Respectfully report that they have had the same under consideration, and herewith report a bill, entitled

A bill to provide for a State bounty to volunteers,

In accordance with the Governor's recommendation, which is herewith submitted, and which they recommend do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

Mr. Gaylord moved that the bill be placed on the order of third reading;

Which motion did not prevail.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend the charter of the city of Ann Arbor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beakes,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of Benjamin B. Wright and others, citizens of the village of Lowell, in the county of Kent, asking the repeal of an act incorporating said village of Lowell, approved March 15, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not granted, and that said petitioners have leave to withdraw their petition, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on banks and incorporations:

The committee on banks and incorporations, have had under consideration

A bill to further amend the act entitled an act to provide for the construction of train railways,

And have instructed me to report the same to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred a petition asking an amendment to section 20, chapter 68, compiled laws, in relation to specific taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend an act entitled an act to authorize the formation of corporations for mining, smelting or manufacturing iron, copper, mineral coal, silver, or other ores or minerals, and for other manufacturing purposes,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the township of Waterloo, in Tuscola county, to Elmwood,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass

and ask to be discharged from the further consideration of the subject.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to authorize the board of supervisors of the county of Ingham, to restore the distinction between town and county poor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred sundry petitions to organize the county of Leelanaw,

Respectfully report that they have had the same under consideration, and herewith report a bill in accordance with the prayer of the petitioners, entitled

A bill to organize the county of Leelanaw, and to define the county of Benzie,

Recommend its passage, and ask to be discharged from the further consideration of the subject.

JAMES ERSKINE, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and,

On motion of Mr. Erskine,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 9, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to legalize the tax rolls of the several townships in the county of Marquette, and territory thereto attached, for the year 1862, and to extend the time, and authorize the collection of the same, in the county of Bleeker;

And to inform the House that the Senate has receded from its amendments thereto, and has concurred in sundry other amendments thereto, recommended by the committee of conference of the two Houses, which amendments accompany the bill, and in which the concurrence of the House is also respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

Mr. Howell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Buckley,
Buell,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,
Dixon,
Dockeray,

Mr. Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Heminway,
Hodgkinson,
Hood,
Howard,
Jenison,
McKernan,
McMartin,
J. C. Miller,

Mr. Pendill,
Piper,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Tinham,
Toll,
Warner,
Wheeler,
White,

Dow,
Erskine,
Fifield,
Fitch,

John Miller,
H. O. Morton,
Mosher,
Parsons,

Winans,
Winsor,
Woodworth,
Speaker,

63

NAYS.

Mr. Wilson,

I

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 10, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend section 2 of an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the insane, approved February 14, 1859;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the Insane Asylum.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 10, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851,

said sections being sections 352 and 353 of the compiled laws,

To which the Senate has made several amendments, which accompany the bill,

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Howell,

The bill was referred to the committee on ways and means.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Williams gave notice that he would on some future day ask leave to introduce

A bill providing for the incorporation of savings institutes.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to improve the State road from Corunna, the county seat of Shiawassee county, to St. Charles, in the county of Saginaw, and for an appropriation of swamp land therefor.

Mr. Harmon gave notice that on some future day he would ask leave to introduce

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws.

Mr. Barnes offered the following:

Resolved, That the use of this Hall be granted to the ladies of the 1st Universalist Church of Lansing, on Wednesday evening next, for the exhibition of tableaux, &c., for the benefit of said church.

Mr. Denman demanded the yeas and nays, on the adoption of the resolution;

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Barnes,

Mr. Fowle,
Freeman,

Mr. Mosher,
Pendill,

Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Congdon,
Cook,
Cowan,
Crego,
Davis,
Deare,
Dockeray,
Dow,
Fifield,
Fitch,

Gargett,
Gaylord,
Green,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hodgkinson,
Howell,
Jenison,
Keeney,
Littlejohn,
H. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Piper,
Pratt,
Rankin,
Sherman,
Slafter,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Thayer,
Thomas,
Tinhams,
Welch,
White,
Wilson,
Winans,

55

NAYS.

Mr. Aldrich,
Burt,
Cobb,
Combs,
Crane,
Denman,
Dixon,
Eldridge,
Erskine,
Fellows,
Grinnell,

Mr. Haze,
Hemingway,
Hood,
Lockwood,
Mallory,
McKernan,
McMartin,
J. C. Miller,
Parsons,
Raymond,
Spencer,

Mr. G. A. Smith,
Stewart,
Sweezey,
Toll,
Voorhies,
Warner,
Weatherby,
Williams,
Winsor,
Woodman,

82

The Speaker called Mr. Howell to the chair.

Mr. Slafter gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 285, of the session laws of 1848.

Mr. T. G. Smith gave notice that on some future day he would ask leave to introduce

A bill relative to the discontinuance of plank roads.

Mr. Slafter gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road, commencing at Portsmouth, in Bay county, and terminating at Forestville, in Sanilac county, and asking a grant of swamp land, to improve the same.

Mr. Gargett offered the following:

RESOLUTION on the state of the Capital.

Whereas, It is said to be a well known fact to many of the citizens of Lansing, that there is a secret conspiracy among the members of this Legislature, plotting treason against the Capital of the State, to remove the same to some more eligible place;

And whereas, It is not the intention of this Legislature to so move the Capital without due notice; therefore

Be it Resolved, That the State Board of Control is hereby empowered, authorized and instructed to dispose of the old dilapidated State House, and other out-buildings, for the benefit of the several colleges in this State.

And further be it Resolved, That they use every constitutional means in their power to lease or rent the vacant grounds about the Capitol building, to the State, for a goat pasture, the proceeds of which shall be faithfully and forever applied to establish a chair of Homœopathy on some important hill in this State: *Provided*, The same can be done without denying the right of the writ of *habeas corpus*, and issuing a proclamation contrary to the wishes of our erring brethren.

Mr. Barnes moved to strike out the word "constitutional," where it occurs in the resolution;

Which was not adopted.

On motion of Mr. Mason,

The resolution was laid on the table.

Mr. Davis moved to re-consider the vote by which the House passed House bill No. 28, entitled

A bill in relation to assignments, and to compel assignees to give security;

Which motion prevailed.

On motion of Mr. Davis,

The bill was laid on the table.

Mr. Henry Hayden gave notice that on some future day he would ask leave to introduce

A bill for the purpose of laying out a road from Tawas City,

in Iosco county, via Houghton lake, to Traverse City, on Grand Traverse Bay, with a grant of land for the same.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to regulate the taxing of real estate, and to provide for refunding of moneys illegally collected thereon.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to prohibit the taking of fish with seines, nets or traps, in the rivers and creeks in the county of Wayne.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill granting swamp land to the county of Shiawassee, to aid in cutting drains through a certain marsh, or swamp, in said county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Sweezey, unanimous consent being given, introduced

A bill to repeal an act, approved March 15, 1861, entitled an act to amend an act incorporating the Pittsburg and Boston Mining Company, of Pittsburg, approved March 18, 1848.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. H. C. Morton, unanimous consent being given, introduced

A bill to amend chapter 100, of the revised statutes of 1846, the same being chapter 125 of the compiled laws, entitled of consolidating and referring cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sweezey, unanimous consent being given, introduced

A bill to authorize the Methodist Episcopal Church, of the

village of Middleville, in the county of Barry, to mortgage their church property.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 33, entitled

A bill to legalize the action of towns and counties in raising bounties for volunteers,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, follows:

YEAS.

Mr. Abbott,	Mr. Gaylord,	Mr. Pratt,
Aldrich,	Green,	Rankin,
Allen,	Grinnell,	Raymond,
Bentley,	Griswold,	Read,
Betts,	Grosebeck,	Slater,
Bliss,	H. A. Hayden,	G. A. Smith,
Bowen,	Henry Hayden,	T. G. Smith,
Buckley,	Haze,	Abram Smith,
Buell,	Hemingway,	Aura Smith,
Combs,	Hood,	Stewart,
Cook,	Jenison,	Swezey,
Cowan,	Keeney,	Thayer,
Crane,	Littlejohn,	Thomas,
Crego,	Lockwood,	Toll,
Davis,	Mallory,	Voorhies,
Deare,	McMartin,	Welch,
Denman,	J. C. Miller,	Weatherby,
Dixon,	John Miller,	Wheeler,
Dockeray,	E. G. Morton,	Wilson,
Dow,	H. C. Morten,	Winans,
Fellows,	Mosher,	Woodman,
Fitch,	Pendill,	Woodworth,
Fowle,	Piper,	Speaker <i>pro tem.</i> ,
Freeman,		

70

NAYS.

Mr. Burt,	Mr. Gargett,	Mr. Sherman,
Clark,	Harmon,	Spencer,
Cobb,	Hodgkinson,	Sprague,
Congdon,	Mason,	Warner,
Eldredge,	McKernan,	White,
Erskine,	H. Miller,	Winsor,
Fifield,	Porter,	

20

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to incorporate the village of Buchanan, and to repeal all inconsistent acts and parts of acts,

Being under consideration,

On motion of Mr. Davis,

The bill was laid on the table, and ordered printed.

House bill, entitled

A bill to organize the county of Leelanaw, and to define the county of Benzie,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Cobb,
Combs,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,

Mr. Eldredge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Jenison,
Keeney,
Lockwood,
Mallary,
McKernan,
John Miller,

Mr. E. G. Morton,
H. C. Morton,
Parsons,
Rankin,
Raymond,
Read,
Slafter,
Sprague,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Voorhies,
Warner,
Weatherby,
Wheeler,
Wilson,
Winans,
Winsor,
Woodman,
Speaker *pro tem.*,

66

NAYS.

Mr. Cook,
Hemingway,

Mr. Littlejohn,
H. Miller,

Mr. J. C. Miller,
Woodworth, 6

Title agreed to.

On motion of Mr. McKernan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Ann Arbor, approved April 4, 1851,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,
Cobb,
Combs,
Congdon,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,

Mr. Fitch,
Pendill,
Freeman,
Gaylord,
Green,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Mr. Parsons,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Voorhies,
Warner,
Welch,
Wetherby,
Wheeler,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker *pro tem.*,

75

NAYS.

0

Title agreed to.

On motion of Mr. Swezey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to enlarge the corporate limits, and to incorporate the village of Corunna under a special charter,

Being under consideration,

On motion of Mr. Wheeler,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,

Mr. Fellows,
Fitch,
Freeman,
Gargett,
Gaylord,
Grinnell,
Henry Hayden,
Haze,
Hemingway,
Hood,
Jenison
Keeney,
Littlejohn,
Lockwood,
Mallary,
McKernan,
McMartin,
H. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Mr. Parsons,
Piper,
Porter,
Rankin,
Raymond,
Sherman,
Sprague,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,

65

NAYS.

Mr. Read,

Mr. T. G. Smith,

Mr. Speaker *pro tem.*,

8

Title agreed to.

On motion of Mr. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER.

On motion of Mr. Bliss,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Read,

The House took a recess until this afternoon, at 2½ o'clock.

AFTERNOON SESSION.

2½ o'clock P. M.

The House met, and was called to order by the Speaker *pro tem.*

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. T. G. Smith,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Buckley,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Thursday, February 12, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Chapoton and Hood.

Mr. Mason asked and obtained leave of absence for Mr. Chapoton, for an indefinite time, on account of sickness.

Mr. McKernan asked and obtained leave of absence for Mr. Hood, for an indefinite time.

PRESENTATION OF PETITIONS.

By Mr. Davis: petition of Nathan Whitney and 85 other citizens of the township of Casinovia, Muskegon county, for the passage of a law authorizing the electors of said township to vote a tax for the support of schools;

Referred to the committee on education.

By Mr. Lockwood: memorial of 102 soldiers of the first regiment of Michigan Engineers and Mechanics, representing their wrongs, and asking redress;

On motion of Mr. Lockwood,

The memorial was referred to the committee on militia, with instructions to confer with the Governor on the subject.

By Mr. Davis: petition of Ira O. Smith and 41 others, for division of the Allegan, Muskegon and Traverse Bay State road into four sections, the appointment of a commissioner for each, and a grant of swamp lands for building bridges over Muskegon and White rivers;

Referred to the committee on public lands.

By Mr. Slafter: remonstrance of James Gould and 15 others,

of Tuscola county, against having certain territory in the township of Tuscola attached to the township of Vassar, for highway purposes;

Referred to the committee on roads and bridges.

By Mr. H. A. Hayden: petition of A. J. Freeman, Thomas Derby, and 37 others, asking the passage of an act to appoint plank road commissioners;

Also, petition of E. Van Horn, I. Morrill, and 8 others, for the same purpose;

Referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1853, being chapter 17 of the compiled laws, by adding thereto a new section, to stand as section 159,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prohibit the taking of fish, with nets, seines and traps, in the rivers and creeks in the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

A bill to provide for laying out and establishing a State road in the townships of Prairieville, Barry and Ross,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills:

1. A bill to amend chapter 157 of the compiled laws, relative to the foreclosure of mortgages by advertisement, being chapter 130, of revised statutes of 1846;

2. A bill to legalize the tax rolls of the several townships in the county of Marquette and territory thereto attached, for the year 1862, and to extend the time and authorize the collection of the same in the county of Bleeker.

CHAS. BETTS, *Chairman.*

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of Frank Newman and others, praying for relief in the

purchase of certain lands, in section 18, of town 4 north, of range 12 west,

Would respectfully report that they have had the same under consideration, and have directed me to make the following report:

The committee are satisfied that the petitioners have been wronged in the purchase of their lands, and would feel disposed to aid them in the settlement of the further claims upon them, if they could find any authority for so doing in the laws of the State; but they cannot. They think it would be establishing a precedent that would be dangerous to the best interests of the State, to grant the prayer of the petitioners.

They have therefore instructed me to report the same back to the House, with the recommendation that the prayer be not granted, and that the petitioners be permitted to withdraw their petition, and now ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in by the House, and the petitioners granted leave to withdraw their petition.

By the committee on public lands:

The committee on public lands, to whom was referred joint resolution, entitled

Joint resolution requesting the Commissioner of the General Land Office to bring certain lands in Isabella county, into market,

Respectfully report that they have had the same under consideration, and find that the said lands have already been kept out of market much longer than the terms of the treaty call for; that the Indians made and completed, some two or three years since, all their selections, and that there is now a large tract of very valuable pine and choice farming lands withheld from market, without any perceptible cause, while hundreds of actual and bona fide settlers are now waiting to possess, settle and improve them—some of whom have already selected, and

are at this time improving, and trying to make permanent homes upon them, without any title or any chance to secure such a title to their lands. In consideration of these facts, the committee have directed me to report the joint resolution back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred

A bill to amend section 24, of act number 216, entitled an act for the drainage of swamps, marshes, and other low lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Toll,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to repeal an act approved March the 15th, 1861, entitled an act to amend an act incorporating the Pittsburgh and Boston Mining Company, of Pittsburgh, approved March 18th, 1848,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the memorial of the trustees of Harper Hospital,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill for the incorporation of hospitals and asylums, in cases where valuable grants or emoluments have been made to trustees for such purposes,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The memorial was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Methodist Episcopal Church of the village of Middleville, in the county of Barry, to mortgage their church property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred sundry petitions, together with a remonstrance, relating to the repeal of the charter of the Jackson and Michigan Plank Road Company,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without recommendation, and ask be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. A. Hayden,

The petitioners were granted leave to withdraw their petitions.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell offered the following:

Resolved, That the committee on supplies be instructed to

purchase and put up suitable stoves for warming this Hall, and when so put up, that the furnace be closed;

Which was adopted.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House bill No. 85, being

A bill to further amend the act entitled an act to provide for the construction of train railways;

Which motion prevailed.

On motion of Mr. Mason,

The bill was placed on the order of third reading.

Mr. Winsor moved that the committee of the whole be discharged from the further consideration of House bill No. 88, entitled

A bill to legalize the apportionment of State and county taxes, for the year 1862, in the county of Huron, and to extend the time for collecting the same;

Which motion prevailed.

On motion of Mr. Winsor,

The bill was placed on the order of third reading.

Mr. Wilson offered the following:

Resolved, That the Commissioner of the State Land Office be requested to furnish, for use of this House, a statement showing the amounts of swamp lands sold, licensed and unsold, in each county, from Jan. 1, 1861, to Jan. 1, 1863; also, a statement of swamp land road and ditch accounts, showing the amount appropriated to each road, the amount paid in money and land and the amount due the contractors, the number of miles completed within the past year, the number of miles in course of construction, the amount paid commissioners, and such other information as he may deem of interest;

Which was adopted.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the incorporation of villages, approved Feb. 17, 1857.

Mr. White gave notice that on some future day he would ask leave to introduce,

A bill to amend section 8477, of chapter 115, of the compiled laws, entitled of the court of chancery;

Also,

A bill to amend section fifty-three hundred and eighty-eight, chapter one hundred and sixty-six of the compiled laws, entitled of the punishment of fraudulent debtors.

Mr. Haze offered the following:

Resolved, That the use of this Hall be granted to Dr. Mahan, and the representatives of the colleges of Michigan, for a public address, on Friday evening;

Which was adopted.

Mr. Welch offered the following:

Resolved, That the use of this Hall be tendered to Mrs. Kutz, on Saturday evening, Sunday morning and evening, for the purpose of lecturing on the different topics of the day;

Which was adopted.

Mr. Barnes offered the following:

Resolved, That Prof. Winchell be invited to deliver an address upon the Geology of the State, in this Hall, this evening;

Which was adopted.

Mr. Keency offered the following:

Resolved, That the committee on military affairs be and they are hereby instructed to report

A bill to amend an act entitled an act to provide for the relief, by counties, of the families of volunteers, mustered from this State into the service of the United States, or of this State, so as to include the families of persons drafted into the service;

Which was adopted.

Mr. Weatherby gave notice that on some future day he would ask leave to introduce

A bill to amend section 5, of act No. 163, relative to laying out highways.

Mr. Slafter, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road in the counties of Bay, Tuscola, and Sanilac, and to improve the same with State swamp land.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Williams, previous notice having been given, and leave being granted, introduced

A bill providing for the incorporation of savings institutes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to amend section 7, of act No. 117, of the session laws of 1859.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Toll, unanimous consent being given, introduced

A bill appropriating and granting swamp lands to the county of Menominee, for drainage purposes.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to appropriate 3,000 acres of swamp land to improve the State road from Corunna, the county seat of Shiawassee county, to St. Charles, in Saginaw county;

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, unanimous consent being given, introduced

A bill to amend section 3596 of the compiled laws, and sec. 3597, as amended by act No. 4, of laws of 1858, in reference to appeals from decrees and final orders in chancery;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

A bill in relation to the discontinuance of plank roads.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Slafter, previous notice having been given, and leave being granted, introduced

A bill to repeal act No. 285, of the session laws of 1848, being an act to provide for the construction and improvement of the northern wagon road from Port Huron, in the county of St. Clair, through the counties of Lapeer and Genesee, to Corunna, in the county of Shiawassee.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 85, entitled

A bill to further amend the act entitled an act to provide for the construction of train railways, approved February 13th, 1855,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Warner asked and obtained the unanimous consent of the House to amend the bill by adding at the end of recited section 35, the following: "and any such mortgage shall be deemed to be a mortgage upon real estate."

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Betts,
Bliss,
Bowen,
Buckley,
Buell,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,

Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,

Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
Henry Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Paudill,
Piper,

Abram Smith,
Sweezey,
Thayer,
Thomas,
Tinham,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

88

NAYS.

Mr. Bentley,

Mr. Stewart,

2

Title agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 88, entitled

A bill to legalize the apportionment of State and county taxes, for the year 1862, in the county of Huron, and to extend the time for collecting the same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Clark,

Mr. Fifield,
Fitch,
Fowle,
Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Haze,

Mr. Parsons,
Piper,
Porter,
Rankin,
Raymond,
Read,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,

Combs,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,

Hemingway,
Hodgkinson,
Howard,
Howell,
Keeney,
Littlejohn,
Lockwood,
Mason,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Sweezey,
Thayer,
Tinham,
Voorhies,
Warner,
Weatherby,
Wheeler,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

78

NAYS.

0

Title agreed to.

On motion of Mr. Cowan,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN, *Chairman.*

Report accepted, and leave granted the committee to sit again,

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock, P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. J. WOODMAN, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Read,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Friday, February 13, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Davis: petition of 62 citizens of Grand Traverse and Glenn Arbor, for the division of the Allegan, Muskegon and Traverse Bay State road into four sections, the appointment of a commissioner for each, and a grant of swamp lands for building bridges over Muskegon and White rivers;

Referred to the committee on public lands.

By Mr. McMartin: memorial of A. R. Balch, N. Briggs, T. D. Van Valkenburg, and 182 others, citizens of Allegan county, remonstrating against said county being attached to the fifth judicial circuit, for reasons therein set forth;

Also, memorial of John Q. Burdick, Joel Batchelor, A. J. Murphy, and 52 others, for the same purpose;

Referred to the committee on the judiciary.

By Mr. Mallary: petition of David W. Noyes, Hiram W. Miller, N. Miller and Loren Andrews, for the passage of a law authorizing the settlement of their claim for moneys illegally paid for land;

Referred to committee on the judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on printing:

The committee on printing, to whom was referred

A bill to amend an act to amend section 26, and repeal sections 27, 28 and 29, of chapter 150, title 29, of the revised statutes of 1846, being section 5658 of the compiled laws,

Respectfully report that they have had the same under consideration, and have instructed their chairman to report the said bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

F. H. RANKIN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend sections 1, 3, 4, 5, 6, 7 and 8, of act No. 233, of session laws of 1859, entitled an act for the construction of a State road from St. Louis, in Gratiot county, by way of Alma and the geographical centre of Montcalm county, to the State road from Greenville, in Montcalm county, to the Big Rapids,

on the Muskegon river, and add one new section to stand as section 9,

Have given some consideration to the bill, and have directed their chairman to report the bill back to the House, with the recommendation that the bill do pass, and ask to be discharged from its further consideration.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 12, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to revise the charter of the city of St. Clair;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 13, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to re return to the House the following entitled bill:

A bill for the relief of sick, disabled and needy soldiers,

And to inform the House that the Senate has receded from its amendment to said bill, whereby the word "twenty," in line 1,

section 1, was stricken out, and the word "ten" inserted in lieu thereof, and in which the House refused to concur.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mason offered the following:

Resolved, That the resolutions on the state of the Union be made the special order, at 7 o'clock of each evening, when this Hall is not otherwise engaged, till the discussion thereon shall close.

Mr. Betts moved to lay the resolution on the table.

Mr. Mason demanded the yeas and nays;

The demand was seconded, and the motion to lay on the table prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. Sherman,
Aldrich,	Fowle,	Slater,
Bentley,	Gargett,	Sprague,
Betts,	Green,	G. A. Smith,
Bliss,	Grinnell,	Aura Smith,
Bowen,	Haze,	Stewart,
Buckley,	Hemingway,	Thayer,
Burt,	Howell,	Thomas,
Cobb,	Mallary,	Voorhies,
Combs,	H. Miller,	Warner,
Crane,	Mosher,	Weatherby,
Crego,	Parsons,	Wheeler,
Davis,	Piper,	Williams,
Dixon,	Porter,	Winans,
Dockeray,	Rankin,	Winsor,
Dow,	Raymond,	Woodworth,
Erskine,	Read,	Speaker, 51

NAYS.

Mr. Allen,	Mr. Harmon,	Mr. E. G. Morton,
Barnes,	Henry Hayden,	H. C. Morton,
Beakes,	Hodgkinson,	Pendill,
Buell,	Howard,	Pratt,

Clark,
Congdon,
Cook,
Denman,
Fifield,
Fitch,
Freeman,
Gaylord,

Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,
J. C. Miller,
John Miller,

Spencer,
Abram Smith,
Sweezey,
Tinham,
Toll,
White,
Wilson,
Woodman, 86

Mr. Winsor gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1027 and 1039, of the compiled laws.

Mr. Rankin, unanimous consent being given, introduced

Joint resolution in relation to the reduction of duty on imported printing paper.

The joint resolution was read a first and second time by its title, and

On motion of Mr. Rankin, /

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was then read a third time, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Crane,
Crego,
Davis,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howell,
Jenison,
Keeney,
Littlejohn,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Stewart,
Sweezey,
Thayer,
Tinham,

Deare,
Denman,
Dixon,
Dockeray
Dow,
Eldridge,
Erskine, ,
Fellows,
Fifield,

Lockwood,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Voorhies,
Weatherby,
White,
Williams,
Wilson,
Winans,
Woodman,
Woodworth,
Speaker, 84

NAYS.

Mr. Allen, Mr. Howard, Mr. Thomas, 8

Title and preamble agreed to.

Mr. Woodman moved that the committee of the whole be discharged from the further consideration of House bill No. 87, being

A bill to provide for the payment of a State bounty to volunteer soldiers;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

Mr. Davis gave notice that he would on some future day ask leave to introduce

A bill to extend the time for locating certain internal improvement land warrants;

Also,

A bill to divide the Allegan, Muskegon and Traverse Bay State road into four sections, and for a grant of swamp lands for the building of bridges over Muskegon and White rivers.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend section thirty-four hundred and seventy-seven, chapter one hundred and fifteen of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend section fifty-three hundred and eighty-eight, chapter one hundred and sixty-six of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Weatherby, previous notice having been given, and leave being granted, introduced

A bill to amend section five, of act No. 163, of the session laws of 1861, relative to laying out highways, approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 87, entitled

A bill to provide for the payment of a State bounty to volunteer soldiers,

Being under consideration,

Mr. Lockwood asked and obtained the unanimous consent of the House to amend the bill by inserting the word "hereafter," after the word "shall," in the second line.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combs,
Congdon,
Cook,
Cowan,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,

Mr. Pendill,
Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Thomas,

Crane,
Orego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,

Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. O. Morton,
Mosher,
Parsons,

Tinham,
Toll,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Woodman,
Woodworth,
Speaker, 92

NAYS.

0

Title agreed to.

On motion of Mr. Toll,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

SPECIAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the special order,

Mr. Woodman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolutions:

Joint resolutions on the state of the Union;

Report the same back to the House, and ask to be discharged from their further consideration.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

Mr. E. G. Morton offered the following:

Resolved, That the resolutions on the state of the country, be referred to a select committee, consisting of Messrs. Warner, Outcheon, Barnes, Wheeler, White, Orego and Toll, with instructions to report resolutions as a substitute for all now before the House, free from all partizan bias, and disconnected

with any particular measure or policy, but in favor of a united support to the Administration in its efforts, under the laws of war and the country, to suppress the rebellion and save the Union in this, its hour of peril.

Mr. E. G. Morton demanded the yeas and nays;

The demand was seconded.

Pending the taking of the vote,

Mr. Williams moved to lay the resolution on the table;

Mr. Lockwood demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Betts,
Bowen,
Bickley,
Buell,
Burt,
Cobb,
Conchs,
Cowan,
Crane,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Fellows,
Fowle,
Freeman,

Mr. Gargett,
Green,
Grinnell,
Griawold,
Haze,
Hemingway,
Howell,
Mallary,
McMartin,
H. Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Raymond,
Read,

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Weatherby,
Wheeler,
Williams,
Winsor,
Woodman,
Woodworth,
Speaker,

56

NAYS.

Mr. Barnes,
Beakes,
Bentley,
Clark,
Congdon,
Deare,
Eldredge,
Erskine,
Fifield,
Fitch,
Gaylord,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
McKernan,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinham,
Toll,
Warner,
White,
Winans,

33

The question being upon the motion of Mr. Lockwood, to strike out all after the enacting clause of the resolution, and insert the following:

“That the present gigantic and nefarious rebellion is wholly without justifiable cause or pretext, and that the people of Michigan are ready to devote their time, their means and their lives, to every necessary extent, to bring the rebellious people to submission to the Constitution and laws, and the restoration of the Union in its integrity;

Resolved, That we are in favor of a vigorous and energetic prosecution of the war, by the use of all means and measures justifiable by the laws and usages of civilized nations, until the rebels shall be willing to lay down their arms and submit to the government of their fathers’ choice, which has always protected them and fostered their interests, and that we will not yield our assent to any dismemberment of the Union.

Resolved, That for the purpose of entire unity of purpose and action, among the people of the loyal States, in support of our national rulers in all honest endeavors to subdue the rebellion, we recommend to all loyal citizens to lay aside their party differences and mere party strifes, and to present to the rebels an unbroken and united front of opposition to their mad and unholy schemes.

Resolved, That we feel a just and glowing pride in the glory which has been reflected on Michigan by the promptitude with which its citizen soldiers have rallied to the standard of the country, and by the noble gallantry on the battle-field, which has given them an undying fame.

Resolved, That the Governor of this State be requested to forward duly authenticated copies of the foregoing resolutions to our Senators and Representatives in Congress, and to the Governors of the loyal States;”

Mr. Lockwood demanded the yeas and nays:

The demand was seconded, and the amendment was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Beakes,
Clark,
Congdon,
Cook,
Deare,
Eldredge,
Fifield,
Fitch,
Gaylord,
Grosebeck,

Mr. Harmon,
H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
McKernan,
John Miller,

Mr. J. C. Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinham,
Toll,
Warner,
White,
Winans,

31

NAYS.

Mr. Abbott,
Aldrich,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Eskine,
Fellows,

Mr. Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Henry Hayden,
Hemingway,
Howell,
Mallary,
McMartin,
H. Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker, 63

Mr. Howell moved that there be a call of the House;
Which motion prevailed.

The roll was called by the clerk, and Messrs. Allen and Mar-
son reported absent without leave.

On motion of Mr. Howell,

The Sergeant-at-Arms was dispatched after the absentees.
Mr. Denman moved that further proceedings under the call
be dispensed with;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Allen at the bar of the House;

Mr. Allen was admitted, and rendered his excuse, which was accepted by the House.

Mr. Pratt moved that further proceedings under the call be dispensed with;

Which motion did not prevail.

Mr. Crego moved to reconsider the vote by which the House refused to dispense with all further proceedings under the call;

Which motion did not prevail.

The Sergeant-at-arms announced Mr. Mason at the bar of the House.

Mr. Mason was admitted, and rendered his excuse, which was accepted by the House.

On motion of Mr. Woodman,

All further proceedings under the call were dispensed with.

Mr. Howell demanded the previous question.

The demand was seconded, and the main question ordered.

The question being upon the adoption of the following substitute for the joint resolution:

Whereas, A large portion of the citizens of this country, North and South, forgetting the enlarged national patriotism, and repudiating the teachings and warnings of the Fathers of the Republic, have been led, by appeals to local and sectional prejudice, to the avowal of sentiments, and the organization of parties, sectional in their character and tendency, and calculated to array one portion of the Union against the other, by which the people have become alienated in feeling;

And whereas, This sectionalism has produced the aggravated feeling in the public mind which has brought upon the country the present deplorable war, involving all classes in its consequences, and calling upon all loyal citizens to sustain the government in every legitimate and constitutional effort to suppress the rebellion, and give peace to the country;

And whereas, We cannot hope for peace, unity and prosperity, while harboring sentiments inimical to such peace, unity and

prosperity, and which such sectional feeling and partizan organization produces; therefore

Resolved, By the House of Representatives, (the Senate concurring,) That this war, thus brought upon the nation, having its foundation in the sectional sentiments of partizan leaders to obtain political power, may be protracted to the mutual destruction of both sections, unless arrested by a return to the conciliating and patriotic views of the founders of the government, whose political philanthropy embraced the whole Union, with no North or South, East or West, but all the States, and all the sections of the country, without regard to local differences of opinion and institutions, it is our duty, divesting ourselves of the prejudices, the errors of the past have created, to proclaim to our loyal brethren of the South, and their excited neighbors, deceived and misled into the support of the rebellion by their sectional leaders, that our great object, in a determined and vigorous prosecution of the war, is the restoration of the Union and the preservation of the Constitution, with the rights of all the States under them, as recognized by those who first organized the government.

Resolved, That with this end in view, while we accept the present condition of affairs as they are, acknowledging our duty to sustain the government and our armies in the field, with patriotic devotion, under the Constitution and the laws, and to oppose the division of the Union under any and all circumstances, and the destruction of the Constitution under any pretext, it is the duty of each section to commence the great work of restoring the Union by self-reform, by inculcating sentiments of peace, unity and good will, without which, union is impossible, and by the repeal of all local or State laws hostile in spirit or purpose, to the Union and Constitution.

Resolved, That the numerous arrests, without complaint or process of law, caused by the President of the United States, of loyal citizens of loyal States, and the arbitrary suspension of the writ of *habeas corpus*, where courts are devoted to the

Union, and have ever been faithful to the Constitution and laws, constitutes a most high-handed and daring assumption of power, which is without a parallel in the history of constitutional governments, and dangerous to the constitutional liberty of the American people; and that the long incarceration of citizens so arrested, in filthy and unhealthy forts and prisons, distant from their homes and friends, without examination or trial, constitutes a degree of remorseless cruelty, more befitting the character of a Turkish despot, than a President of the American Republic.

Resolved, That the Emancipation Proclamation of the President, on the 1st of January, 1863, is unauthorized by the Constitution and laws of the land, and is, as a war measure, not only unwise, but, in its natural tendency, of the most evil and pernicious consequences, being directly calculated, 1st. To forever alienate the loyal feelings of every Union man in the seceding States; 2d. To drive, ultimately, the border slave States out of the Union; 3d. To more effectually unite and exasperate the Southern people, who are already arrayed in arms against us, and thus procrastinate the bloody, intestine war that is now desolating the country, and destroying the lives of our people; and 4th. To incite insurrections and merciless massacres of innocent women and children by the blacks of the South;

Resolved, That the patriotic and gallant Michigan soldiers who voluntarily left their homes and friends for the tented field, in defense of their bleeding country—in defense of the Constitution and Union—have covered themselves with imperishable glory, and that we shall ever point to their deeds of noble daring on the many bloody fields of battle with the mingled feelings of national pride and prayerful gratitude;

Resolved, That copies of the foregoing preamble and resolutions be forwarded to our Senators and Representatives in Congress, and to the Governors of the several States, as an expression of our readiness to regard the rights of the people of all the States, as we recognize and regard our own, and our

abhorrence of bloodshed between brethren of the same national family, to remedy real or imaginary evils, which can best be settled by compromise, and the councils of peace in the Union, and under the Constitution, for the preservation of which, with all the privileges they confer, the war is prosecuted by the loyal people of the country;

It was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Beakes,
Clark,
Congdon,
Daare,
Eldredge,
Fifield,
Fitch,
Grosebeck,
Harmon,

Mr. H. A. Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Mason,
McKernan,
J. C. Miller,

Mr. John Miller,
E. G. Morton,
Pratt,
Sherman,
Abram Smith,
Tinharn,
Toll,
White,
Winans,

28.

NAYS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Henry Hayden,
Haze,
Hemingway,
Howell,
Lockwood,
Mallary,
McMartin,
H. Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Voorhies,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

68

The question then recurring upon the passage of the following joint resolution:

JOINT RESOLUTION on the state of the Union.

Whereas, The present rebellion threatens the peace and perpetuity of the Union of the States, and requires the united efforts of all patriotic and loyal citizens to sustain the Administration, to restore a permanent and honorable peace to the whole country; therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That we will sustain the National Administration with all the means in our power, in all its efforts to quell the present rebellion, and restore peace to the Union.

Resolved, That we unreservedly approve the Proclamation of the President of the United States, issued on the first day of January, one thousand eight hundred and sixty-three, emancipating slaves in the insurgent States and districts of the Union, believing it to be an act of justice, warranted by the Constitution upon military necessity.

Resolved; That while we lament the gallant dead who have given their lives for their country, and mourn over the appalling sacrifices of blood and treasure, which this war has already occasioned, we nevertheless rejoice that through the mad and guilty act of the Southern conspirators, that wicked and barbarous institution of African slavery will receive its death-blow; and as lovers of humanity and christian civilization, we hail this great consummation with exceeding joy, not as a cause for the proclamation of the President, but as a beneficent consequence which must flow from it.

Resolved, That we are unalterably opposed to any terms of compromise or accommodation with the rebels, while under arms, and acting in hostility to the Government of the Union, and on this we express but one sentiment—unconditional submission and obedience to the laws and constitution of the Union.

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and joint resolutions to each of our Senators and Representatives in Congress, and to the Governors of the several loyal States;

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. Read,
Aldrich,	Fowle,	Slafter,
Allen,	Freeman,	Spencer,
Bentley,	Gargett,	Sprague,
Betts,	Green,	G. A. Smith,
Bliss,	Grinnell,	T. G. Smith,
Bowen,	Griswold,	Aura Smith,
Buckley,	Haze,	Stewart,
Buell,	Hemingway,	Sweezey,
Burt,	Howell,	Thayer,
Cobb,	Mallary,	Thomas,
Combs,	McMartin,	Voorhies,
Cowan,	H. Miller,	Welch,
Crane,	H. C. Morton,	Weatherby,
Crego,	Mosher,	Wheeler,
Davis,	Parsons,	Williams,
Denman,	Pendill,	Wilson,
Dixon,	Piper,	Winsor,
Dockeray,	Porter,	Woodman,
Dow,	Rankin,	Woodworth,
Erskine,	Raymond,	Speaker, 63

NAYS.

Mr. Barnes,	Mr. Harmon,	Mr. J. C. Miller,
Beakes,	H. A. Hayden,	John Miller,
Clark,	Henry Hayden,	E. G. Morton,
Congdon,	Hodgkinson,	Pratt,
Cook,	Howard,	Sherman,
Deare,	Jenison,	Abram Smith,
Eldredge,	Keeney,	Tinham,
Fifield,	Littlejohn,	Toll,
Fitch,	Lockwood,	Warner,
Gaylord,	Mason,	White,
Grosebeck,	McKernan,	Winans, 83

Title and preamble agreed to.

Mr. Mason moved that the joint resolution be ordered to take immediate effect;

Pending which,

On motion of Mr. Winans,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Saturday, February 14, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. Potter.

Roll called : quorum present.

Absent at roll call, without leave, Messrs. Parsons, Sprague and Woodworth.

The Speaker *pro tem.*, asked and obtained leave of absence for Mr. Parsons, for an indefinite time, on account of sickness.

Mr. Abram Smith asked and obtained leave of absence for Mr. Sprague until Tuesday next.

Mr. Aldrich asked and obtained leave of absence for Mr. Woodworth until Tuesday next.

PRESENTATION OF PETITIONS.

By Mr. Freeman: petition of Charles Kipp and 45 others, citizens of the county of Clinton, asking for the passage of a law granting the swamp lands in the town of Greenbush, for the drainage of the cedar swamp, in said township;

Referred to the committee on public lands.

By Mr. Howard: petition of Eunice M. Brasted, to change the name of Helen Marie Hoffman to Helen Marie Brasted;

Referred to the committee on the judiciary.

By Mr. Bliss: petition of G. F. Vanfleet, Anthony Schmitz, and 13 others, for an appropriation of swamp lands, to improve the State road through the township of Bloomfield;

Referred to the committee on public lands.

By Mr. Freeman: petition of O. M. Pearl and 68 others, citizens of Clinton county, asking for the passage of a law granting certain swamp lands situated in the townships of Duplain, Greenbush and Essex, for the drainage of the same;

Referred to the committee on public lands.

By Mr. Luther: petition of Jeremiah McMann, for change of name;

Referred to the committee on the judiciary.

By Mr. Littlejohn: memorial of E. D. Granger, Levi M. Com-

stock, Timothy Bliss, and 135 others, citizens of Allegan county, remonstrating against said county being attached to the fifth judicial circuit, for reasons therein set forth;

Referred to the committee on the judiciary.

By Mr. Deare: petition of Hon. Lewis Cass, Hon. Ross Wilkins, Rt. Rev. Peter Paul Lefevre, Hon. G. V. N. Lothrop, John T. Meldrum, R. N. Rice, and 100 others, citizens of Wayne county, asking an appropriation of swamp lands for the benefit of St. Mary's Hospital, &c., &c., in the city of Detroit;

Referred to the committee on public lands.

By Mr. Luther: petition of Isaac Spores and 63 others, praying that that portion of the Grand Rapids and Muskegon State road lying in the county of Ottawa, be surveyed, and asking an appropriation of swamp lands to improve the same;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred House bill No. 14, entitled

A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of compiled laws,

To which the Senate had made sundry amendments,

Respectfully report that they have had the bill and amendments under consideration, and have directed me to report the same back to the House, and recommend that the House concur in the amendments made to the bill by the Senate, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

Mr. Cowan moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Freeman,	Mr. Piper,
Barnes,	Gargett,	Porter,
Bentley,	Gaylord,	Rankin,
Bliss,	Green,	Raymond,
Bowen,	Grinnell,	Read,
Burt,	Griswold,	Slafter,
Cobb,	Grosebeck,	G. A. Smith,
Combs,	Haze,	T. G. Smith,
Cook,	Heminway,	Abram Smith,
Cowan,	Hodgkinson,	Stewart,
Crane,	Lockwood,	Sweezey,
Davis,	Mallary,	Voorhies,
Denman,	Mason,	White,
Dow,	McKernan,	Wilson,
Eldredge,	John Miller,	Winans,
Fellows,	Mosher,	Woodman,
Fowle,	Pendill,	Speaker, 51

NAYS.

Mr. Henry Hayden, 1

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

By the committee on elections:

The committee on elections, to whom was referred the memorial of the Hon. Hiram C. Hodge, claiming the seat in this House, as representative from the second district of Clinton county, now occupied by Hon. Chandler Freeman, respectfully ask leave to report that they have had the same under consideration, and have instructed me, as their chairman, to report that they have heard the allegations and proofs produced by the respective contestants, which proofs accompany this report; and your committee find that the whole number of votes cast in said district, for Representative, at the general election, held November 4th, 1862, was 1,331, of which number Chandler Freeman, the sitting member, received 700, and said Hiram C. Hodge received 631. It is admitted by said Freeman, that said 700 ballots so cast for him, were given for him as follows, viz: 291 of them for Representative in the State Legislature, for the second district, Clinton county; 121 of them for Representative in the State Legislature; and 288 of them for State Representative.

And it is therefore claimed on behalf of the memorialist, Mr. Hodge, that he received a large majority of the votes cast for Representative in the State Legislature, for the second district of Clinton county, the only legal designation for such office, as contended by him, known to the statutes of Michigan; and that all the votes cast for Mr. Freeman, for Representative in the State Legislature, and for State Representative, were illegal, and should not be counted for him. Chapter 6 of the compiled laws, section 29, speaking of the manner of voting at elections, which shall be by ballot, and of what the ballot shall contain, says "The ballot shall be a paper ticket, which shall contain, written or printed, or partly written and partly printed, the names of all the persons for whom the elector intends to vote, and shall designate the office to which each person so named is intended to be chosen."

The question in this case is simply whether the last above named ballots cast for Mr. Freeman, contained the name of the office for which the electors depositing such ballots intended to vote. The only designation or description given in the constitution of this State for members of this House is "Representatives." See State constitution, article 4, section 1, where it declares that the legislative power (of the State) "is vested in a Senate and House of *Representatives*."

It provides, it is true, in section 3 of the same article, that "Representatives shall be chosen by single districts," but the name of the district constitutes no part of the name of the office. The only name given to the office is that of "Representative."

In the opinion of your committee, if the ballots had stated simply, "For Representative," it would have been a technical compliance with the requirements of the statute. But if that designation only, would have left any doubt for what office he was a candidate, or of its meeting the requirements of the statute, the prefix of the word "State," thereto, making the title or designation of the office read "For State Representative," must have entirely removed such doubt.

It would have effectually prevented the confounding of the office with that of Representative in Congress, which is the only other office that the designation "For Representative" simply, could possibly have been intended for.

Your committee can find no statute nor authority requiring the ballots to specify the particular representative district for which the person may be a candidate, nor are they able to see any greater necessity for such district being specified on the ballot, than there is for specifying the particular county for which a candidate for sheriff or county clerk may be running. The statute requiring the name of the office to be specified on the ballot, is, in the opinion of the committee, declaratory only, and would not necessarily invalidate the ballot, though it should not be fully set forth, but that the candidate would, notwithstanding such defect, be entitled to have such ballots counted for him, provided the name of the office was sufficiently set forth to make it certain what office was intended, and for what officer the elector, in casting such ballot, intended to vote.

In this case, whether the name of the office be fully specified on all such ballots cast for Chandler Freeman, or not, it is believed by the committee that there can be no doubt, from the name of the office, as specified, on all such ballots, that the electors casting them intended them as votes for Mr. Freeman, as Representative in the State Legislature.

Your committee are, therefore, of the opinion that all those ballots were properly counted for Mr. Chandler Freeman, and that he received a majority of 69 legal votes over Mr. Hodge, for Representative in the State Legislature, from the second district of Clinton county, and is entitled to the seat in this House as Representative for the second district of Clinton county; that a contrary conclusion would be doing injustice to the electors of said second district, a clear majority of whom voted for Mr. Freeman; that where the intention of the voter is fairly to be inferred from the vote cast by him, either as to the person for whom, or office for which he has voted, that it is the

duty of the canvassers to carry out such intention. Such is the rule of law, as understood by the committee. Your committee, therefore, recommend that the prayer of the memorialist be not granted.

All of which is respectfully submitted, together with certain certificates of the district canvassers, and certain affidavits, and your committee ask to be discharged from the further consideration of the subject.

THADDEUS G. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. T. G. Smith,

The papers accompanying the report were laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend an act to provide for the settlement of and drainage of swamp lands by actual settlers, being act 229, of the session laws of 1859, as amended by act No. 108, of the session laws of 1861,

Beg leave to report that the act above referred to is intended to compel the settler to prove up his claim within three months, and if this is not done, his license is void, or it is declared void, if upon the testimony of two witnesses, under oath, that the law has not been complied with; in either case, the commissioner is authorized to declare the license void, and the land is subject to entry, the same as other swamp lands.

Your committee, therefore, can see no good reason for a change in the law, and have therefore directed me to report against the passage of the bill, and ask to be discharged from its further consideration.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Wilson,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to authorize the board of supervisors of Houghton

county, to draw certain swamp land money, and to expend the same, and for other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, as a substitute therefor, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred the memorial of the board of supervisors of Ingham county, asking the Legislature to so amend the law to provide relief by counties, to the families of volunteers, so as to extend its provisions to the families of drafted persons,

Have had the same under consideration, and are of the opinion that such an amendment should be made, and in accord-

ance therewith, have instructed me to report the following entitled bill:

A bill to amend section 1, of act No. 14, of the laws of 1862, entitled an act to amend an act entitled an act to provide for the relief, by counties, of the families of volunteers, mustered from this State into the military service of the United States, or of this State, approved May 10th, 1862, and to add certain sections thereto, so as to extend the provisions of the same to the families of drafted persons,

And recommend the same do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

The memorial was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred:

A bill to amend section 7, of act No. 117, of the session laws of 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

The report was accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to attach certain territory in the township of Tuscola, to the township of Vassar, for highway purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal act No. 285, of the session laws of 1848, being an act to provide for the construction and improvement of the northern wagon road from Port Huron, in the county of St. Clair, through the counties of Lapeer and Genesee, to Corunna, in the county of Shiawassee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend section five, of act number 163, of the session laws of 1861, relative to laying out highways, approved March 15th, 1861.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Weatherby,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the incorporation of water power companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of M. Hydenburk, and other citizens of Kalamazoo, asking that a law may be passed giving an appeal from the corporate authorities of cities and villages to the circuit court, in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cobb,

The petition was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill providing for the incorporation of savings institutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to incorporate the St. Patrick's Society, of Houghton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do not pass, it being the opinion of your committee that section 1, of article 15, of the Constitution of this State, prohibits the passage of all acts of incorporation, except for municipal purposes, other than general laws. And your committee are also of the opinion that said Society can fully organize under the general statute now in force, for the incorporation of benevolent societies.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill relative to the discontinuance of plank roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cowan,

The bill was laid on the table.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred

A bill to amend an act entitled an act to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857, which amendatory act was approved February 12, 1861,

Beg leave respectfully to report that they have given the subject a careful consideration, and now submit the result of their investigation for the consideration of the House.

By the act of the 14th of February, 1857, these grants of land were given to several railroad companies, organized under the general railroad law of this State, subject to certain conditions therein expressed, and if they failed to comply with those conditions, the lands would revert to the State, as the trustee of the general government.

At every subsequent session of the Legislature, these companies have applied for an extension of the time in which they were required to perform the conditions of the grant, by building certain portions of their several roads; and these requests have been complied with, and their time extended, without giving the subject that consideration which the true interests of the State would seem to require.

The committee propose, first, to consider these grants as applicable to the railroads contemplated in the Upper Peninsula. By some strange oversight, and contrary to public policy, as well as the policy of our general railroad law, three of these roads commenced, or terminated, at Marquette: 1st, from

Bay de Noquet to Marquette; 2d, from Marquette to Ontonagon; and 3d, from Marquette to the Wisconsin State line. The primary object of railroads in the Upper Peninsula, was to develop its mineral interests, and afford facilities for transporting the ore to market, and by the action of these several companies, and the Legislature, Marquette seemed to be designated as the grand mineral depot of the Upper Peninsula. As early as 1858, the "Iron Mountain Railroad," which is now the Bay de Noquet and Marquette Railroad, was projected to run from Marquette, by way of the iron mines, to some point on Green Bay, and the road actually surveyed, and the line located, and some portion of its road completed before the grant was disposed of. Actual surveys demonstrated the fact that the three roads terminating at Marquette, from that point to the iron mountains, a distance of about sixteen miles, must occupy contiguous and parallel lines, which must necessarily result in a competition ruinous to all, or wholly prevent the investment of capital, so necessary to the development of the mineral wealth of that region. A single glance at the map will satisfy any person that one railroad, properly located, would be sufficient for the wants of that country for several years to come.

The only railroad company in the Upper Peninsula, of which we have any knowledge, except by our statute books, although required by law to make annual reports of their progress and condition, is the Bay de Noquet and Marquette Railroad Company. By their annual report, (legislative journal, page 145,) it appears that they have expended in cash, in the construction of their road and equipments, the total amount of \$648,911 40, and your committee are informed that this amount, together with their interest in the mines and their dock at Marquette, makes a total investment of about one million of dollars; while all the other companies, from any data in possession of the committee, have not expended a sum exceeding ten thousand dollars, and have taken no steps towards the construction of their roads.

The question then arises, what is the duty of the State in the premises? To foster and encourage capital already honestly invested, or to shut up this entire mineral region, so material to the interests of the State, and prevent its development by the strong hand of legislative power? To the mind of the committee, our duty is a plain one. To encourage a proper and speedy development of the inexhaustible mineral wealth of this region, would be to place the State in a position to receive in a few years a revenue from it equal to, if not greater than the entire expenses of the State government, and thus lay the foundation to entirely abolish State taxes, when our State debt shall have been paid. But, while we encourage a system of gambling speculation by legislative enactments, the very tendency of which is to prevent development and prosperity, just so long will we be subject to onerous taxation by refusing to reap the harvest which the God of Nature has already planted in our soil.

Armed with a bounty from the general government, could it be considered sound policy to use that bounty to compete with and destroy capital already actually invested, and that to companies who have failed, in every instance, to fulfill their obligations to the State? No such policy can be justified. We legislate, not alone for to-day, but for the future; and we should so legislate as to operate equally upon all—be equally beneficial to all—and for the common good of all. The conclusion is, therefore, irresistible, that the public good, and simple justice, require that the lands granted to the Marquette and Ontonagon railway company, should be transferred to the Marquette and Ontonagon railroad company, incorporated January 2, 1863, the stock holders of which are the same parties who own the Bay de Noquet and Marquette railroad, and the grants made to the other companies in the Upper Peninsula, should be declared forfeited, and revert to the State, subject only to the conditions of the original grant made by Congress.

We cannot afford to foster a spirit of mere ideal speculation, at the expense of the true interests of the State; and were the

incipient measures to be taken at this time, we much doubt whether any considerable amount of foreign capital would seek investment where the course of legislation rendered it capricious and uncertain.

We now propose to turn our attention to the effect of these grants upon the material prosperity of the northern portion of the Lower Peninsula.

To the people of the North this law presents some very grave and important questions for solution, and the time has fully arrived when they must be met and decided. The first consideration is the extent of territory affected by the land grants, for railroad purposes, in the State. The entire grant amounts little short of four millions of acres, and the alternate sections of the government lands, equally precluded from settlement, to as much more; making, in round numbers, about eight millions of acres—equal to about twelve thousand and three hundred square miles, as the basis of our calculations. This of itself, is equal in extent to the entire States of Massachusetts and Connecticut.

The area of Massachusetts is equal to 7,800 miles. That of Connecticut, 4,674. Those grants are equal to 12,800 square miles, or two of the important States of the Union. The area of Michigan is equal to 56,243 square miles, and over one-fifth of that area is controlled by these grants. For whose benefit are these lands withheld from settlement and cultivation? For the sake of the honest, hardy pioneer, who, confiding in the justice and impartiality of the government, has pitched his solitary cabin in the woods, in the hope of making a pleasant future home for himself and family? No—the questions are easily answered. The benefit is to accrue to a few speculators, who, for the sake of gain, hold the fate of a territory in their hands equal to an empire, and by combination seek to control both State and National legislation on that subject. Its effects upon the interests of the few settlers, scattered through this vast extent of country, and its rank injustice, has no parallel in the history of American legis-

lation. Their isolated situation deprives them of the benefit of churches and schools, and after years of toil, necessity actually drives them from their homes, and they lose the labor of the best days of their lives. No candid man will pretend that these roads will ever be built through those portions affected, by withholding the lands from market.

These considerations are much strengthened in the passage of the homestead bill. The entire public domain being thrown open to settlement and cultivation, "without money and without price," this entire section of our State must be abandoned, and the primeval forest remain a lasting memento of the folly, the partial and unjust legislation, that precluded us from cultivating the lands of our own State.

What has been accomplished since these grants were made by the Legislature in 1857? Emigration entirely checked, and the few scattering settlers remain as isolated as they were five years ago. An engineer has been brought from Europe—a voluminous report made—splendid maps engraved—an incumbrance of millions of dollars put upon the land in advance—but not a solitary rod of road built, or anything done to better the condition of a people already crushed under the blighting influence of such partial and unjust legislation. Settlers seek a home everywhere else—our property, with all our industry, depreciates in value—our interests reduced to a death-bed consumption, and all for the purpose of enabling a few men to enrich themselves, who do not reside there, or have any interests in common with them.

These men, without fulfilling the first obligation to the State which induced the grants, are already besieging Congress to further extend this embargo over the settlement and cultivation of the North. Assured by former legislation on this subject, that the State of Michigan has placed the interests of the North in their keeping, instead of the representatives of the people, their consuming rapacity knows no bounds of satisfaction short of absorbing the entire grant, without rendering any equivalent by building the roads, and hence all their energies are

brought to bear upon Congress and the Legislature to effect this purpose.

The State never committed a graver error than in the disposition of these grants. At least an expenditure of thirty millions of dollars in cash, besides the lands themselves, would be necessary, and that in a territory, vast in extent, but inhabited by less than one hundred thousand people. Any statesman should blush to record such consummate folly and ignorance of the laws of trade; and in a financial point of view what have been its effects upon the other portions of the State? Before these lands were withdrawn from market, the tide of emigration was flowing in and settling upon the wild lands as fast as could be desired, and by the rule of increase of property by cultivation, we believe at least one million of dollars yearly, for the last seven years, would have been added to the aggregate value of the taxable property of the State, and upon which amount the older portions of the State would have ratably been relieved from taxation.

Aside from educational purposes, protected by the provisions of the constitution, the State has never had any uniform and settled policy in the disposition of the land grants made by the general government. A grasping system of personal interest has been predominant, and at this time, when it is discovered that more than thirty thousand square miles of the area of the State, comprising its most wealthy portion in timber and minerals, has never received any portion of the original five million loan, created for the purposes of internal improvements, nor of the grants made by Congress, we are called upon to pause and consider whether a more uniform and equitable policy should not prevail.

For the payment of the State debt, created and expended solely to develop the resources of less than one-third part of its area, the North has, and ever will, cheerfully contribute its full share; and while they do this, they ask the candid consideration of the House whether it be too much to ask for them to be allowed to remain free to cultivate and develop their own ter-

ritory without participating either in the expenditures of the State, or the bounties of the general government.

Remove the incubus of these grants to the material prosperity of the North, and it will be hailed as the first omen to their future prosperity. Continue them, and you place an unbearable burden upon them, which can neither be defended upon the score of justice, or an enlightened State policy. All agree in a want of confidence, either in the *ability* or *intention* of those companies to construct their roads in the new portions of the State, and are satisfied that their only aim is so to dispose of the bounties of the State as to secure the greatest personal benefit.

Another consideration, of no inconsiderable magnitude, forces itself upon our attention at this time, and adds to the many reasons why these grants, so far as they have not been appropriated, should now be absolutely forfeited.

The recent act of Congress donating to the State two hundred and forty thousand acres for the endowment of an agricultural and military school, is an object worthy of our gravest consideration. The disposition of the proceeds of this grant being for educational purposes, is secured by the constitution, and therefore in no danger of being applied to any other purpose.

These lands, carefully selected and disposed of slowly, as have been the primary school and university lands, will, in process of time, endow an institution more liberally and more richly than any other institution in the State. Judging of the future by the past, we are firmly of the opinion that such selections might be made, and their sale so regulated so as not to attempt to compete with the present cheap lands, that a permanent fund of more than seven hundred thousand dollars might be realized, the interest of which would be exclusively applied to the purposes of the grant.

The question now arises, where can these lands be selected? We answer, from the very lands now covered by these grants, and not otherwise, unless the State will consent to take the

refuse lands of the General Government, in limited quantities, and of little value.

The mineral lands of the Upper Peninsula, and the fine farming and pine lands of the North, now under these railroad grants, would quickly invite the attention of the State, and determine the proper selection to be made.

From the premises here laid down, your committee deduce the conclusions:

First. That the lands granted to the Marquette and Ontonagon Rail-way Company, should be transferred to the Marquette and Ontonagon Rail-road Company, organized on the second day of January, A. D. 1863.

Second. That all other grants made by the act of February 14, 1857, so far as they have not been applied, be forfeited to the State, which will leave the State and General Government the sole contracting parties, and that such steps be taken by the State as will bring these lands immediately into market.

For this purpose your committee ask leave to introduce the accompanying bill, entitled

A bill to amend an act to amend section 26, and repeal sections 27, 28 and 29, of chapter 150, title 29, of the revised statutes of 1846, being section 5658 of the compiled laws,

And joint resolution, entitled

Joint resolution relative to certain land grants made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3rd, 1856,

And recommend that the bill referred to them do not pass.

W. T. HOWELL,

Chairman Select Committee.

Report accepted and committee discharged.

Mr. Barnes moved that 1,000 extra copies of the report be ordered printed for the use of this House;

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Barnes,
Beakes,
Bliss,
Burt,
Cobb,
Congdon,
Crego,
Davis,
Deare,
Dixon,
Eldredge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Mr. Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Howell,
Jenison,
Keeney,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
McMartin,
John Miller,
E. G. Morton,
Mosher,
Pendill,
Piper,

Mr. Porter,
Sherman,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thomas,
Tinharn,
Toll,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,

56

NAYS.

Mr. Abbott,
Allen,
Bentley,
Betts,
Bowen,
Buckley,
Clark,
Combs,
Cook,
Cowan,
Crane,

Mr. Denman,
Dow,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hodgkinson,
Howard,
Littlejohn,
H. Miller,

Mr. Rankin,
Raymond,
Read,
Slafter,
Spencer,
Stewart,
Thayer,
Voorhies,
Winans,
Woodman,
Speaker,

33

On motion of Mr. Howell,

The House concurred in the adoption of the substitute reported by the committee for the bill referred to them.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole and placed on the general order.

The select committee, to whom was referred

A bill to confer certain forfeited land rights and privileges upon the Marquette and Ontonagon railroad company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. T. HOWELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 14, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to further amend the act entitled an act to provide for the construction of train railways,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Dow gave notice that on some future day he would ask leave to introduce

A bill to provide for the final disposition of the State swamp lands.

Mr. Jenison gave notice that on some future day he would ask leave to introduce

A bill authorizing the electors of Watertown, Clinton county,

to assess a tax on the taxable property of said township, of \$100 for each person who has been, or may be hereafter drafted into the United States service.

Mr. McMartin gave notice that he would on some future day ask leave to introduce

A bill for the relief of the settlers on section 16, in town 4 north, of range 12 west.

Mr. Read offered the following:

Resolved, (the Senate concurring,) That from and after 12 o'clock, noon, on Thursday, the 5th day of March next, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of this Legislature shall be on Saturday, the 7th day of March next, at 12 o'clock at noon, of that day.

Laid on the table for one day, under the rules.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to compel settlers on swamp lands to file a certificate, and oath of settlement and occupancy, with the Commissioner of the State Land Office.

Mr. Erskine gave notice that on some future day he would ask leave to introduce

A bill to provide for draining Black River swamp, in Sanilac county.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill to continue the Midland and Isabella State road to Big Rapids, in Mecosta county.

Mr. Gargett gave notice that on some future day he would ask leave to introduce

A bill to establish and endow a college, at some point on the Detroit and Milwaukee Railroad, near the centre of the State, and ask an appropriation of swamp lands for the same.

Mr. Mason offered the following:

Resolved, That the Auditor General be requested to furnish this House a statement of the amounts expended on the State Asylums, State Prison, House of Correction, or Reform School, and the Agricultural College, for grounds and buildings, and furnishing purposes, since 1854;

Which was adopted.

Mr. Howell offered the following:

Resolved, That the use of this Hall be granted to Prof. Hempel, on Thursday evening next, for a scientific lecture on the science of Homeopathy;

Mr. Williams demanded the yeas and nays on the adoption of the resolution.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cook,
Cowan,
Crego,
Davis,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,

Mr. Fifield,
Fitch,
Fowle,
Freeman,
Gargett,
Green,
Griannell,
Griswold,
Grosebeck,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Luther,
Mallary,
McKernan,
H. Miller,

Mr. J. O. Miller,
H. C. Morton,
Mosher,
Pendill,
Piper,
Porter,
Rankin,
Raymond,
Spencer,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Weatherby,
Wheeler,
White,
Wilson,
Speaker

58

NAYS.

Mr. Abbott,
Aldrich,
Combes,
Deare,

Mr. Haze,
Littlejohn,
Mason,
John Miller,

Mr. Voorheis,
Warner,
Williams,
Winans,

Denman,
Eldredge,
Gaylord,

G. A. Smith,
Abram Smith,
Toll,

Winsor,
Woodman,

20

Mr. Weatherby gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to incorporate the city of Coldwater, approved February 28, 1861.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill granting swamp lands to St. Mary's hospital, of the city of Detroit.

Mr. Swezey moved that the committee of the whole be discharged from the further consideration of House bill No. 104, being

A bill to authorize the Methodist Episcopal Church, of the village of Middleville, in the county of Barry, to mortgage their church property;

Which motion prevailed.

On motion of Mr. Swezey,

The bill was laid on the table.

Mr. J. Miller moved that the committee of the whole be discharged from the further consideration of House bill No. 78, entitled

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15th, 1859;

Which motion prevailed.

Mr. J. Miller moved to place the bill on the order of third reading;

Which motion did not prevail.

On motion of Mr. Read,

The bill was re-committed to the committee on banks and incorporations.

Mr. Winsor, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1027 and 1039 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to provide for the sale of swamp and primary school lands in the mineral range of the Upper Peninsula.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Davis, previous notice having been given, and leave being granted, introduced

A bill to renew internal improvement land warrants issued by the Auditor General, pursuant to an act entitled an act to regulate the issuing of certain land warrants, approved March 29, 1848, and to extend the time for locating the same.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Erskine, previous notice having been given, and leave being granted, introduced

A bill for the relief of school district number one, in the township of Austin, county of Sanilac.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for the incorporation of villages, approved February 17, 1857.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to allow the board of supervisors of the county of Wayne to create a sinking fund for the purpose of paying the indebtedness of said county, made on account of the volunteers' family relief fund, and for other purposes.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lookwood, unanimous consent being given, introduced

A bill to extend the time for the construction of the Mar-

quette and Ontonagon railroad, under the act disposing of certain grants for railroad purposes, by act of Congress approved June 3, 1856, approved February 14, 1857, and the acts amendatory thereto, on certain conditions.

The bill was read a first and second time by its title, and, by unanimous consent, referred to the committee of the whole, placed on the general order, and ordered printed.

UNFINISHED BUSINESS,

Being the motion of Mr. Mason, that joint resolution, entitled Joint resolution on the state of the Union;

Be ordered to take immediate effect.

The motion did not prevail.

The House also had under consideration, on this order, the concurrent resolutions on the state of the Union, offered by Mr. Warner, on the 24th ult.

Mr. Warner, by unanimous consent, amended the resolutions so as to read as follows:

Whereas, Armed treason, in the so-called Confederate States, is waging an organized and persistent rebellion against the government of these United States, with the fixed intention to overthrow it, and crush forever the hopes of free institutions on American soil;

And whereas, This rebellion, although wholly without justifiable cause, or even any plausible pretext, has, nevertheless, already assumed a magnitude and atrocity unparalleled in the history of mankind, and fearfully threatens the existence of the nation; therefore

Resolved, (the Senate concurring,) That we believe it to be the imperious duty of the war power to use against the rebels, with the utmost diligence and vigor, all the means and agencies which law and usage may warrant, occupying their country, quartering on them, taking away and freeing their slaves, and availing itself of their services, stripping them of property and the means of influence and mischief as enemies, and subduing them wherever found, within the jurisdiction of the government, relaxing and increasing the degrees of rigor as the best

success of the loyal cause shall require, until rebellion shall be coerced to submission, and civil authority restored.

Resolved, That we have confidence in the integrity and elevated patriotism of the President of these United States; that we believe he earnestly intends to promote, as far as in him lies, the best interests of the nation, in all his purposes and acts, and that we recognize it to be his duty, as the constituted head of the war power of the nation, to select the agents and prescribe the mode and policy for carrying on the war, as shifting necessities shall demand, without infringing the Constitution, or the established usages of civilized nations.

Resolved, That we heartily acquiesce in the wisdom of our fathers, which devolved the exercise of these high duties and responsibilities exclusively on the war power; and while it is incumbent on all loyal citizens to hold that power to a just accountability for the manner in which it shall discharge these momentous trusts, we hereby pledge ourselves, and the people of the State, that, holding our individual judgments and party preferences in due subordination, and refraining from all factious assaults on our national rulers, ourselves, and frowning on all such assaults by others, we, as one great loyal brotherhood, will rally around them and, in their capacity as the government, render them our unfaltering support in the exercise of all the powers given them for the suppression of the rebellion, the maintenance of the Constitution, and the restoration of public tranquility.

Resolved, That while we lament the gallant dead, who have given their lives to their country, and mourn over the appalling sacrifices of blood and treasure which this war has already occasioned, nevertheless, it is the privilege of all loyal people to rejoice in the hope that a superintending Providence will so overrule the convulsions of the hour, as to give African slavery, on this continent, its death blow.

Resolved, That we feel a just and glowing pride in the honor which has been reflected on Michigan, by the promptitude with which its citizen soldiers have rallied to the standard of the

country, and by the noble gallantry on the battle-field, which has given them an undying fame.

Resolved, That the Governor be requested to forward duly authenticated copies of the foregoing preamble and resolutions to our Senators and Representatives in Congress, and to each of the Governors of the loyal States.

Mr. Mason moved to amend the first resolution by striking out the words "taking away," in the fifth line;

Mr. Welch moved to refer the resolution to the committee on federal relations;

Which motion did not prevail.

The question recurring upon the amendment, it was not adopted.

Mr. Barnes offered the following as a substitute for the resolution:

Whereas, The present gigantic rebellion has destroyed the peace and threatens the perpetuity of the Union, and now requires the united efforts of all loyal citizens to sustain the Government, to restore peace to the nation; therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That we are, as we have ever been, unalterably opposed to the dissolution of the Union of the States, and are ready to make all needed sacrifices for its defense and preservation, and to this end we will sustain the National Administration in the use of all means authorized by the laws of civil war, and the usages of civilized nations, tending to suppress the rebellion and restore lasting peace to the country.

Resolved, That the patriotic and gallant Michigan soldiers who voluntarily left their homes and friends for the tented field, in defense of their bleeding country—in defense of the Constitution and Union—have covered themselves with imperishable glory, and that we shall ever point to their deeds of noble daring, on the many bloody fields of battle, with the mingled feelings of national pride and prayerful gratitude.

Resolved, That the Governor of this State be requested to forward duly authenticated copies of the foregoing resolutions

to our Senators and Representatives in Congress, and to the Governors of the loyal States.

Mr. Howell moved to lay the resolution and substitute on the table;

Mr. Beakes demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Fellows,	Mr. Read,
Allen,	Fowle,	Slafter,
Bentley,	Freeman,	Spencer,
Bowen,	Green,	G. A. Smith,
Buckley,	Grinnell,	T. G. Smith,
Buell,	Haze,	Aura Smith,
Cobb,	Howell,	Stewart,
Combes,	McMartin,	Thayer,
Cowan,	Henry Miller,	Voorheis,
Crego,	H. O. Morten,	Welch,
Davis,	Mosher,	Weatherby,
Denman,	Pendill,	Wheeler,
Dixon,	Porter,	Williams,
Dow,	Rankin,	Woodman, 42

NAYS.

Mr. Barnes,	Mr. Gaylord,	Mr. McKernan,
Beakes,	Griswold,	J. O. Miller,
Betts,	Grosebeck,	John Miller,
Bliss,	Harmon,	E. G. Morton,
Burt,	H. A. Hayden,	Piper,
Clark,	Henry Hayden,	Pratt,
Congdon,	Hodgkinson,	Raymond,
Cook,	Howard,	Sweezey,
Crane,	Jenison,	Tinham,
Deare,	Keeney,	Warner,
Dockeray,	Lockwood,	White,
Eldridge,	Luther,	Wilson,
Erskine,	Mallary,	Winsor,
Fifield,	Mason,	Speaker, 43
Fitch,		

The question being upon the adoption of the substitute.

Mr. Barnes demanded the yeas and nays.

The demand was seconded, and the substitute was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Beakes,
Clark,
Congdon,
Eldredge,
Fifield,
Fitch,
Grosebeck,
Harmon,
H. A. Hayden,

Mr. Henry Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,
Littlejohn,
Mason,
McKernan,
J. C. Miller,

Mr. John Miller,
E. G. Morton,
Pratt,
Abram Smith,
Tinham,
Toll,
Welch,
White,
Wilson,

28

NAYS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Cobb,
Combes,
Cook,
Cowan,
Crane,
Crago,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Mr. Dow,
Erskine,
Fellows,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Howell,
Lockwood,
Luther,
Mallary,
McMartin,
H. Miller,
H. C. Morton,
Mosher,
Pendill,

Mr. Piper,
Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Voorheis,
Warner,
Weatherby,
Wheeler,
Williams,
Winsor,
Woodman,
Speaker,

63

Mr. Howell moved to postpone the further consideration of the resolution until Thursday next;

Mr. Howell demanded the yeas and nays.

The demand was seconded.

Mr. Lockwood demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to postpone the further consideration of the resolution until Thursday next, did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Buckley,
Buell,
Burt,
Cobb,
Congdon,
Cowan,
Davis,
Dockeray,
Dow,
Fellows,

Mr. Fifield,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,
Harmon,
Henry Hayden,
Howell,
Jenison,
Keeney,
Littlejohn,
McMartin,
John Miller,
E. G. Morton,

Mr. H. C. Morton,
Mosher,
Pendill,
Rankin,
Read,
Slafter,
Spencer,
G. A. Smith,
Aura Smith,
Welch,
Weatherby,
White,
Williams,
Wilson,

44

NAYS.

Allen,
Betts,
Bliss,
Clark,
Combes,
Cook,
Crane,
Crego,
Deare,
Denman,
Dixon,
Eldredge,
Erskine,
Fitch,
Gaylord,

Mr. Griswold,
Mr. Grosebeck,
Haze,
Hemingway,
Hodgkinson,
Howard,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
Piper,
Pratt,

Raymond,
Sherman,
T. G. Smith,
Abram Smith,
Stewart,
Sweezey,
Thayer,
Toll,
Voorheis,
Warner,
Wheeler,
Winsor,
Woodman,
Speaker,

44

The question recurring upon the adoption of the resolution, it was adopted, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Bentley,
Betts,
Bliss,
Buckley,
Buell,
Burt,
Cobb,
Combs,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Griswold,
Haze,
Hemingway,
Howell,
Lockwood,

Mr. Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,

Cook,
Cowen,
Crane,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Erskine,
Fellows,
Fitch,

Luther,
Mallary,
McMartin,
H. Miller,
J. C. Miller,
H. C. Merton,
Mosher,
Pendill,
Piper,
Porter,
Rankin,
Raymond,

Thomas,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

65

NAYS.

Mr. Aldrich,
Barnes,
Beakes,
Bowen,
Clark,
Congdon,
Deare,
Eldredge,
Fifield,

Mr. Grinnell,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hodgkinson,
Howard,
Jenison,
Keeney,

Mr. Littlejohn,
Mason,
McKernan,
John Miller,
E. G. Morton,
Pratt,
Tinham,
Toll,
White,

27

Pending the announcement of the vote,

Mr. E. G. Morton asked that he be excused from voting;

Which request was not granted.

Mr. E. G. Morton then voted as recorded above.

Mr. Read moved that Mr. Tinham be excused from voting; #

Which motion did not prevail.

Mr. Tinham then voted as recorded above.

Mr. Crego moved that Mr. McKernan be excused from voting;

Which motion did not prevail.

Mr. McKernan then voted as recorded above.

Mr. Porter moved that Mr. Burt be excused from voting;

Which motion did not prevail.

Mr. Burt then voted as recorded above.

Mr. Erskine moved that Mr. Winsor be excused from voting;

Which motion did not prevail.

Mr. Winsor then voted as recorded above.

GENERAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the general order, in the consideration of

House bill No. 40, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water craft,

Mr. Denman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

H. B. DENMAN, *Chairman*.

Report accepted, and leave granted the committee to sit again.

MESSAGE FROM THE SENATE.

By unanimous consent, the Speaker announced the following:

SENATE CHAMBER,
Lansing, February 14, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to inform the House that the Senate amended the following entitled bill:

A bill to further amend the act entitled an act to provide for the construction of train railways, approved February 18th, 1856,

Heretofore returned to the House, by adding to the last section, the following: "Provided, No regulation made as aforesaid shall prevent or obstruct the free use of such highway by the traveling public;"

In which amendment the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Mason moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combes,
Oongdon,
Cook,
Cowan,
Orego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldredge,
Fifield,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Jenison,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,

Mr. McMartin,
H. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Raymond,
Read,
Slafter,
T. G. Smith,
Abram Smith,
Sweezey,
Thayer,
Toll,
Voorheis,
Wheeler,
White,
Woodworth,
Speaker,

62

NAYS.

0

On motion of Mr. Dow,

The House adjourned until Monday morning, at 9 o'clock.

Lansing, Monday, February 16, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Buell, Dockeray, Henry Hayden, Jenison, and Winsor.

Mr. T. G. Smith asked and obtained leave of absence for Mr. Buell, for an indefinite time, on account of sickness.

Mr. Welch asked and obtained leave of absence for Mr. Dock-
eray, for the day.

Mr. Winans asked and obtained leave of absence for Mr. Henry Hayden, for the day.

Mr. Porter asked and obtained leave of absence for Mr. Jeni-
son, for the day.

Mr. Erskine asked and obtained leave of absence for Mr. Winsor, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Howell: remonstrance of A. H. Giddings, A. E. Upton, and 28 others, citizens of Newaygo county, against attaching certain townships to said county;

Also, remonstrance of A. P. Day and 18 others, for the same purpose;

Also, remonstrance of William I. Cornwell and 52 others, for the same purpose;

Also, remonstrance of 5 supervisors, and 21 others, of Newaygo county, for the same purpose;

Referred to the committee on towns and counties.

By Mr. J. C. Miller: petition of Samuel Stratton, F. M. Crossett, and 36 others, asking for authority to organize a harbor company at New Buffalo;

Referred to the committee on harbors.

By Mr. Spencer: petition of L. B. Fish, Geo. Noble, and 149 others, asking for an appropriation of swamp lands for the construction of a State road in the county of Ionia;

Referred to the committee on public lands.

By Mr. Littlejohn: remonstrance of A. R. Calkins, W. Wilson, B. Ager, and 46 others, citizens of Allegan county, against being attached to the 5th judicial district;

Referred to the committee on the judiciary.

By Mr. Cobb: petition of trustees of the Michigan Female Seminary, located at Kalamazoo, asking aid for finishing and furnishing said building;

Referred to the committee on ways and means.

By Mr. Aura Smith: petition of 29 residents and tax-payers of the city of Coldwater, asking that the charter of the city of Coldwater be so amended as to provide for the election of a treasurer in each ward;

Referred to the committee on banks and incorporations.

By Mr. Stewart: petition of John McDonald, Elijah Purdy, and 130 others, citizens of St. Joseph county, for an amendment of the game law, so as to prevent the baiting and netting of wild ducks;

Referred to the special committee on the game law.

By Mr. Sweezey: petition of A. W. Ingraham, Wm. Sweezey, Henry Holmes, and 17 other citizens of the village of Nebraska, in the county of Jackson, asking for the discontinuance of a portion of railroad street, in said village;

Referred to the committee on banks and incorporations.

By Mr. McKernan: petition of Charles Whittlesey, for relief, and that patents of certain lands may be granted to him;

Referred to the committee on ways and means.

By Mr. Buckley: memorial of Charles Stuck and O. Adams, relative to a certain contract on the Port Huron, Bay City and Lansing State road.

On motion of Mr. Mason,

The memorial was laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred sundry petitions, asking for a change of the time for holding elections in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report herewith a bill entitled

A bill to change the time of holding elections for State and county officers in the Upper Peninsula, and to repeal the existing law on that subject,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

The bill was read a first and second time by its title, and

On motion of Mr. Sherman,

The bill was laid on the table and ordered printed.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred the petition of Henry J. Buckley and others, asking that the Legislature confirm the title to certain lands,

Respectfully report that they have had the same under consideration, and have directed me to report herewith a bill entitled

A bill to confirm certain sales of land,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred the memorial of citizens of Ontonagon county, asking an appropriation of swamp lands for the building of certain roads in said county,

Respectfully report that they have had the same under consideration, and, in accordance with the prayer of the petitioners, report herewith a bill, entitled

A bill to lay out and establish a State road in the Upper Peninsula, to be known as the Mineral Range State road extension, in the Upper Peninsula;

Also,

A bill to lay out and establish the Ontonagon and State line State road, in the Upper Peninsula,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The memorial was laid on the table.

The bills were read a first and second time by thier titles, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill providing for the collection of State and county taxes in the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of Thomas Merrill, and two or three thousand others, praying for the division of the Allegan, Muskegon & Traverse Bay State road, into four sections, and the appointment of four commissioners, and a grant of swamp lands to aid in building bridges over the Muskegon and White Rivers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to divide the Allegan, Muskegon and Traverse Bay State road into four sections, appoint commissioners thereon,

and to appropriate swamp lands for building bridges over Muskegon and White Rivers,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and expenditures:

The committee on supplies and expenditures, to whom was referred a resolution instructing them to purchase and put up suitable stoves for warming this Hall,

Respectfully report that they have not been able to procure stoves of suitable size in this city, for the purpose above mentioned. The committee would further report that they have received a proposition from James Turner & Bros., as follows: That they will furnish and put up, ready for use, a furnace of suitable size, and guaranteed to furnish a sufficient quantity of pure heated air to warm this Hall, at an expense of not exceeding two hundred dollars, said furnace not to be paid for unless it shall give entire satisfaction, after a fair trial of the same. For the purpose of putting up stoves, it would be necessary for the House to adjourn one day; besides it would materially interfere with the present arrangement of the seats, whereas a furnace can be put in without interfering with the daily sessions of the Legislature, at all. Your committee are therefore of the opinion that, on all accounts, a furnace would be cheaper and better than stoves, for the purpose of warming this Hall, and would recommend that this House cause such furnace to be procured and put up without unnecessary delay.

All of which is respectfully submitted.

WILLIAM COOK, *Chairman.*

Report accepted.

Mr. Howell moved that the subject be re-committed to the committee;

Which motion did not prevail.

Mr. Mason moved that the recommendations of the committee be concurred in;

Pending which,

On motion of Mr. Read,

The subject was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,
Lansing, February 14, 1868. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend act No. 262, of the session laws of 1859, entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859, authorizing amendments of their articles of association or charters,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to committee on banks and incorporations.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 14, 1868. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolutions:

1. Joint resolution tendering the thanks of the State to the Michigan soldiers in the field;

2. Joint resolution for the relief of Samuel Bement and Lucius Warner;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named joint resolution was read a first and second time by its title, and referred to the committee on military affairs.

The second named joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 14, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to provide for the paying or funding of the bounty fund raised by the citizens of Detroit;

2. A bill to amend an act entitled an act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1853, and an act amendatory thereto, approved February 12, 1855, it being section 815 of compiled laws, relating to fees for collecting expenses;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on military affairs.

The second named bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February, 14, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled joint resolution:

Joint resolution in relation to the reduction of duty on imported printing paper;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 14, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to authorize the Auditor General to refund money paid for taxes, and on tax sales, in certain cases;

2. A bill to amend an act entitled an act to incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts, approved March 15, 1861;

3. A bill to appropriate certain taxes for the improvement of a certain road, in the counties of Eaton and Barry;

4. A bill to amend section 1 of an act entitled an act granting swamp land to the county of Genesee, to aid in cutting drains through a certain swamp, in said county;

Which have passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The third named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The fourth named bill was read a first and second time by its title, and referred to the committee on public lands.

MOTIONS, RESOLUTIONS AND NOTICES.

Gaylord moved that the committee of the whole be discharged from the further consideration of House bill No. 89, entitled

A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859;

Which motion prevailed.

On motion of Mr. Gaylord,

The bill was placed on the order of third reading.

Mr. J. C. Miller moved to take from the table House bill No. 97, entitled

A bill to incorporate the village of Buchanan, and to repeal all inconsistent acts and parts of acts;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

Mr. Luther gave notice that on some future day he would ask leave to introduce

A bill legalizing the act of the people of Wright, Ottawa county, in raising money for bounties to volunteers.

Mr. Buckley offered the following:

Resolved, That the daily sessions of this House be hereafter held at 9 A. M., and at 2 P. M.;

On motion of Mr. Beakes,

The resolution was laid on the table.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to amend certain sections of chapter 139, of the revised statutes of 1846, relative to limitation of actions.

Mr. Lockwood offered the following:

Resolved, That the atmosphere of this Hall is sufficiently impure without the introduction of the poisonous fumes of tobacco smoke; and that the members of this House be requested to desist from that practice in this Hall and its ante-rooms, as a nuisance to the majority of the House.

Which was unanimously adopted.

Mr. Williams moved that the committee of the whole be discharged from the further consideration of House joint resolution No. 6, entitled

Joint resolution in regard to certain property in possession of the late State Geologist;

Which motion prevailed.

On motion of Mr. Williams,

The joint resolution was placed on the order of third reading.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A joint resolution for the relief of Charles Whittlesey, and that patents for certain lands may be given him.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to appropriate additional swamp lands to aid in the construction of the Ithaca and St. Charles State Road.

Mr. White gave notice that on some future day he would ask leave to introduce

A bill to amend section 2748, chapter 88, of the compiled laws.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to authorize proceedings, by garnishment, in the circuit courts, and the district court of the Upper Peninsula, approved March 16, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Sherman, unanimous consent being given, introduced

A bill to provide for the collection of certain taxes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Weatherby, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to incorporate the city of Coldwater, approved February 28, 1861.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to compel settlers on swamp lands to file a certificate and oath of settlement and occupancy, with the Commissioner of the State land office.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to amend an act to provide for the relief, by counties, of families of volunteers mustered from this State, into the military service of the United States, or of this State, approved May 10, 1861, and add certain sections thereto, approved January 17, 1862, by adding thereto another section, to stand as section 10.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Erskine, previous notice having been given, and leave being granted, introduced

A bill to provide for draining Black river swamp, in Sanilac county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 89, entitled

A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859,

Being under consideration,

On motion of Mr. Lockwood,

The reading of the bill, *in extenso*, was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Bentley,
Betts,
Bowen,
Buckley,
Clark,
Cobb,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldridge,
Erskine,
Fellows,
Fifield,
Fitch,

Mr. Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Hemingway,
Hodgkinson,
Howard,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
McMartin,
John Miller,
E. G. Morton,
H. C. Morton,

Mr. Mosher,
Pendill,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Sweeney,
Thomas,
Tinham,
Toll,
Voorhies,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Speaker,

69

NAYS.

Title agreed to.

On motion of Mr. Gaylord,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 97, entitled

A bill to incorporate the village of Buchanan, and to repeal all inconsistent acts and parts of acts,

Being under consideration,

On motion of Mr. Howell,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Cougdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldredge,

Mr. Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Gaylord,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Hemingway,
Hodgkinson,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
McMartin,
J. C. Miller,
John Miller,

Mr. E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
T. G. Smith,
Abram Smith,
Sweezey,
Tinharn,
Toll,
Voorhies,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Woodman,
Speaker,

68

NAYS.

0

Title agreed to.

On motion of Mr. J. C. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 6, entitled

Joint resolution in regard to certain property, &c., in the possession of the late State Geologist,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Fifield,	Mr. H. C. Morton,	
Barnes,	Fitch,	Mosher,	
Beakes,	Fowle,	Pendill,	
Bentley,	Freeman,	Rankin,	
Betts,	Gaylord,	Raymond,	
Bliss,	Grinnell,	Read,	
Bowen,	Griswold,	Slafter,	
Buckley,	Grosebeck,	Spencer,	
Burt,	Harmon,	T. G. Smith,	
Clark,	H. A. Hayden,	Abram Smith,	
Cobb,	Hemingway,	Aura Smith,	
Congdon,	Hodgkinson,	Sweezey,	
Cook,	Howard,	Thayer,	
Cowan,	Howell,	Thomas,	
Crane,	Keeney,	Tinham,	
Crego,	Littlejohn,	Toll,	
Davis,	Lockwood,	Voorhies,	
Deare,	Luther,	Welch,	
Denman,	Mallary,	Weatherby,	
Dixon,	Mason,	Wheeler,	
Dow,	McKernan,	White,	
Eldredge,	McMartin,	Williams,	
Erskine,	J. O. Miller,	Wilson,	
Fellows,	John Miller,	Speaker,	72
	NAYS.		0

Title greed to.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

Resolved, (the Senate concurring,) That from and after 12 o'clock, noon, on Thursday, the 5th day of March next, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of this Legis-

lature shall be on Saturday, the 7th day of March next, at 12 o'clock at noon, of that day.

On motion of Mr. Deare,

The resolution was laid on the table.

GENERAL ORDER

On motion of Mr. Lockwood,

The House went into committee of the whole on the general order, in the consideration of

House bill No. 40, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Mr. Denman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

H. B. DENMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the adoption of the amendments made to the bill by the committee, *in gross*, with the exception of the amendment striking out line 10, of section 34.

Mr. Mason moved to amend the bill by striking out of line 10, section 34, the words, "or part owner on account of the vessel;"

Which motion prevailed.

The question being upon the adoption of the amendment to strike out line 10, of section 34,

The amendment was not adopted.

On motion of Mr. Toll,

The bill was re-committed to a select committee of five.

Mr. T. G. Smith, by unanimous consent, moved to take from the table House bill, entitled

A bill relative to the discontinuance of plank roads;

Which motion prevailed.

On motion of Mr. T. G. Smith,

The bill was recommitted to the committee on banks and incorporations.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole on the general order,

Mr. T. G. Smith in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to provide for the payment of the unliquidated swamp land contracts.

Report the same back to the House without recommendation.

T. G. SMITH, *Chairman.*

Report accepted.

Mr. Lockwood offered the following as a substitute for the bill:

A BILL to provide for the payment of unliquidated swamp land road contracts.

SECTION 1. *The People of the State of Michigan enact, That the Auditor General be and he is hereby authorized and required to draw upon the Treasurer his warrants for the payment of all sums due upon cash contracts for building State roads, under an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved February, 1859, and the acts amendatory*

thereof, which warrants shall be payable out of the interest moneys arising from the fund called the swamp land fund, created by an act entitled an act to provide for the sale of swamp lands, and the reclamation thereof, to secure the pre-emption claims of settlers thereon, approved February 4, 1858, which is hereby appropriated for that purpose, so far as needed.

Sec. 2. The State Treasurer is hereby directed to pay the warrants mentioned in the previous section, and also the warrants heretofore drawn upon him for the payment of such cash contracts, in whole, or in part, out of the said interest moneys above mentioned.

Sec. 3. It shall be the duty of the Board of Control, and they are hereby directed to forthwith cancel all cash contracts for building roads, unless the contractors shall consent to take swamp lands in lieu of money.

Which was adopted.

On motion of Mr. Davis,

The substitute was laid on the table and ordered printed.

On motion of Mr. Dow,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock, P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced Messrs. Toll, Gaylord, Davis, Lockwood and Abram Smith, as the special committee on House bill No. 40, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water-craft.

GENERAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the general order,

Mr. Howard in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to amend the law of this State fixing the compensation of township treasurers;

2. A bill to repeal section 2, of act No. 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes, approved April 1st, 1840;

3. A bill to amend section 4159 of the compiled laws;

4. A bill to amend section 1 of an act entitled an act to provide for the appointment of circuit court commissioners in cases of vacancy, approved February 2d, 1855, being section 3998 of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

5. Joint resolution to encourage the erection of a line of telegraph from Owosso to the State Capital;

Have adopted a substitute therefor, ask the concurrence of the House therein, and recommend its passage.

6. A bill to amend section 2 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859;

7. A bill to amend sections 10, 18, 19 and 23, of chapter 79, of the revised statutes of 1846, being chapter 103 of the compiled laws, entitled of the sale of real estate on executions;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

8. A bill to provide for the payment of the expenses of circuit judges, and the district judge of the Upper Peninsula;

Have struck out all after the enacting clause, in all of

which they ask the concurrence of the House, and ask to be discharged.

M. D. HOWARD, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made to the first, second, third and fourth named bills, and the bills were placed on the order of third reading.

On motion of Mr. Lockwood,

The House concurred in the adoption of the substitute reported by the committee for the joint resolution, and the joint resolution was placed on the order of third reading.

On motion of Mr. Read,

The sixth named bill was placed on the order of third reading

On motion of Mr. Lockwood,

The seventh named bill was re-committed to the committee on the judiciary.

On motion of Mr. Hemingway,

The eighth named bill was laid on the table.

Mr. Haze, by unanimous consent, submitted the following:

MR. SPEAKER:—I rise, sir, as well in respect for public feeling, as for the sympathies of our common nature, to announce to this Honorable body, the death of Lieutenant Henry K. Foote, of the 5th Michigan Cavalry, who died at his post, while stationed at Poolesville, Md., by disease contracted while manfully battling for the honor of our suffering country.

Lieutenant Foote was well known to many members of this House, having discharged the responsible duties of legislator in this State during two legislative terms. He served with credit to himself and universal satisfaction to his constituents. In whatever department of life we view him, whether as a physician in the laborious duties of that profession, during many long and toilsome years, as a statesman, or as a soldier, he still commands our respect and esteem. I offer the following preamble and resolutions:

Whereas, an inscrutable Providence has removed from the

scenes of his usefulness, Lieutenant Henry K. Foote, at a juncture so big with events as the present, the purposes of which we can neither fathom nor comprehend; it is therefore

Resolved, That as a testimony of our respect to the memory of the gallant deceased, and having regard for his eminent character and services, we tender to his family and friends in this hour of their deep distress, our heartfelt sympathy.

Resolved, That the Clerk of the House is hereby directed to transmit a copy of the above preamble and resolutions to the family of the deceased.

After appropriate eulogies by Messrs. Woodman, Crego and Howell, the resolutions were unanimously adopted.

On motion of Mr. Deare,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Tuesday, February 17, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Fowle: petition of John P. Cook, E. T. Chester, and 81 others, legal voters of Hillsdale county, asking an appropriation of swamp lands in aid of the colleges of this State;

Referred to the committee on public lands.

By Mr. Welch: memorial of Asaph Mathers and 58 others, residents of Ionia and Gratiot counties, asking for an appropriation of swamp lands to aid in constructing the State road leading from Portland, in Ionia county, to Isabella Centre, in the county of Isabella;

Referred to the committee on public lands.

By Mr. Freeman: petition of J. D. Sickles and 21 others, citizens of the county of Clinton, asking for the passage of a law granting certain swamp lands, situated in the townships of Duplain, Greenbush and Essex, for the drainage of the same;

Referred to the committee on public lands.

By Mr. Fowle: petition of J. B. Wheaton, H. B. Rowson and 40 others, legal voters of Hillsdale county, asking appropriations of State swamp lands in aid of the colleges of the State;

Referred to the committee on public lands.

By Mr. Freeman: petition of A. M. Drake and 82 others, citizens of the county of Clinton, asking for the passage of a law granting the swamp lands in the town of Greenbush, for the drainage of the cedar swamp, in said town;

Referred to the committee on public lands.

By Mr. Davis: petition of 78 citizens of counties on the Allegan, Muskegon and Traverse Bay State road, for the division of the same into sections, and grant of swamp lands for bridges;

On motion of Mr. Davis,

The petition was laid on the table.

By Mr. Luther: petition of N. H. White and 44 others, for the division of the Allegan, Muskegon and Traverse Bay State road into four sections, the appointment of a commissioner for each, and a grant of swamp lands for building bridges over Muskegon and White Rivers;

On motion of Mr. Luther,

The petition was laid on the table.

By Mr. John Miller: petition of Samuel Potts, Geo. N. Carlton, and 36 others, citizens of the township of Port Huron, in St. Clair county, asking a division of the township;

Referred to the committee on towns and counties.

By Mr. Mason: petition of J. K. Lockwood and others, for a law authorizing the county of Alpena to elect a supervisor;

Also, petition of Thomas H. Eaton and others, for the same purpose;

Referred to the committee on towns and counties.

By Mr. Fowle: petition of Wm. Divine, supervisor of the township of Woodbridge, and 45 others of said township, to legalize the raising of a war bounty;

On motion of Mr. Fowle,

The petition was laid on the table.

By Mr. White: memorial of S. L. Withey and A. B. Turner, of Grand Rapids, and 56 others, asking an appropriation for the payment of the improvement of the Muskegon Flats;

Also, memorial of James Barton and 38 others, for the same;

Also, memorial of T. White Ferry, of Grand Haven, and 27 others, for the same;

Also, memorial of C. D. Harwood and 36 others, for the same;

Also, memorial of John Tatman and 46 others, for the same;

Also, memorial of Horatio Brown and 32 others, for the same;

Also, memorial of Wesley F. Wood and 44 others, for the same;

Also, memorial of John C. Blanchard and 22 others, for the same;

Also, memorial of J. H. Maze and 31 others, for the same;

Also, memorial of Charles E. Horton and 16 others, for the same;

Also, memorial of Geo. E. Darling and 17 others, for the same;

Also, memorial of John Almy and 50 others, for the same;

Also, memorial of A. W. Squier and 27 others, for the same;

All of which were referred to the committee on ways and means.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 20, being

A bill to authorize the Auditor General to refund money paid for taxes, and on lot certificates in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Joint resolution authorizing the Board of State Auditors to settle and adjust the claims of the State against the bail of John McKinney, late State Treasurer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend an act entitled an act to amend an act entitled an act to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State, approved May 10, 1861, and to add certain sections thereto, approved Jan. 17th, 1862, by adding thereto another section, to stand as section ten,

Respectfully report that they have had the same under consideration, and have instructed their chairman to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following bills and joint resolution:

1. A bill to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of the compiled laws;

2. A bill for the relief of sick, disabled and needy soldiers;

3. A bill to further amend the act entitled an act to provide for the construction of train railways;

4. Joint resolution in relation to the reduction of duty on imported printing paper.

CHAS. BETTS, *Chairman.*

Report accepted.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to allow the board of supervisors of the county of Wayne to create a sinking fund for the purpose of paying the indebtedness of said county, made on account of the volunteer family relief fund, and for other purposes.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, have had under consideration the subject of restraining animals from

running at large in the public highways, and herewith report a bill, entitled

A bill to prevent animals from running at large in the public highways,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. OREGO, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred a bill, entitled

A bill for the assessment and collection of a specific tax on dogs,

Together with numerous petitions, representing over forty thousand persons, many of whom are among our best farmers, mechanics, and other citizens of the State, asking that a better protection may be thrown around the great and fast increasing interest of wool-growing, by the enactment of a law imposing a tax on that almost worthless animal, the dog. Your committee are fully convinced that the business of raising wool, especially the finer grades, has become a leading and permanent interest in our growing and prosperous State—employing the immense number of over 1,500,000 sheep, whose cash value in ordinary times, reaches the large sum of \$5,000,000, yielding annually over 5,000,000 pounds of wool, and bringing in a return to the people of the State, of over \$2,000,000; and sheep-raising being also a highly important auxiliary to the great business interest of our agriculture—wheat growing—preserving greatly the fertility of the land and increasing its value; our soil and climate, also, uniting to favor and encourage the increase of sheep husbandry to the largest extent possible. Your committee further report, that the business of sheep-raising has always sustained and endured immense injury and de-

pression by the frequent and sudden destruction of costly animals, by dogs, in every part of the State, amounting to a heavy percentage upon the cash value of our flocks, a dead loss to the owner and State, and have directed me to report the petitions, with a substitute for the bill, back to the House, and recommend that the substitute, entitled

A bill to protect the owners of sheep from damages done by dogs,

* Do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

On motion of Mr. Hemingway,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the Asylum for the Insane:

The committee on the Asylum for the Insane, to whom was referred

A bill to amend section 2 of an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually provide for the care, maintenance and recovery of the insane, approved February 4, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. P. COMBES, *Chairman.*

Report accepted and committee discharged.

Mr. Combes moved that the bill be placed on the order of third reading;

Which motion did not prevail.

On motion of Mr. Woodman,

The bill was laid on the table, and ordered printed.

On motion of Mr. Dow,

The last vote was reconsidered.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section one of an act entitled an act granting swamp land to the county of Genesee, to aid in cutting drains through a certain swamp in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rankin,

The bill was placed on the order of third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill granting swamp land to the county of Shiawassee, to aid in cutting drains through a certain marsh, or swamp, in said county,

Respectfully report that they have had the same under consideration, and find that under the law of 1861, 200,000 acres of swamp land was set apart as a drainage fund, and placed under the control of the swamp land board. To that board, therefore, will be the proper place to apply, for an appropriation. Your committee, therefore, recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 80, entitled

A bill to appropriate certain taxes for the improvement of a certain road in the counties of Eaton and Barry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of Linn L. Treat, G. H. Emmons, and others, asking for the repeal of act No. 191, of the session laws of 1859, being an act to incorporate the village of Orion, together with a bill, entitled

A bill to repeal act No. 191, of the session laws of 1859, being an act to incorporate the village of Orion, approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with a substitute therefor, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

On motion of Mr. Hemingway,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was recommitteed House bill No. 78, being

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee to whom was referred

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Respectfully report that they have carefully considered the same, and herewith report the same back to the House, with sundry amendments thereto, herewith submitted, which they recommend be concurred in, and when so amended, they recommend that the bill do pass.

By order of the Committee.

T. W. LOCKWOOD.

Report accepted and committee discharged.

On motion of Mr. Howell,

The House concurred in the amendments made by the committee.

On motion of Mr. Toll,

The bill was ordered engrossed for a third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 14, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend sections 1, 4, 25, 31, 86, 92 and 94, of act number 16, of the session laws of 1862, entitled an act for the re-organization of the military forces of the State of Michigan, approved January 18, 1862, and to repeal section 84 of said act,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 16, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to legalize the action of the electors of the townships of Van Buren, Romulus, Huron and Sumpter, in the county of Wayne, and to authorize the township boards of such townships to issue the orders of said townships, respectively, to pay volunteer bounty,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and,
On motion of Mr. Mason,

The rules were suspended, and the bill put upon its immediate passage.

The bill, being Senate bill, entitled

A bill to legalize the action of the electors of the townships of Van Buren, Romulus, Huron and Sumpter, in the county of Wayne, and to provide for issuing the orders of said townships, to pay such amount of volunteer bounty as was authorized by such electors, at special township meetings, held therein, in the month of December, A. D. 1862,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Combes,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Erskine,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
McMartin,

Mr. Mosher,
Pendill,
Piper,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,

Fellows,
Fifield,
Fitch,
Fowle,
Freeman,

H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Winans,
Woodman,
Woodworth,
Speaker,

80

NAYS.

Mr. Cook,

1

Title agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Harmon moved that the committee of the whole be discharged from the further consideration of House bill No. 86, entitled

A bill to incorporate the village of Howell;

Which motion prevailed.

Mr. Harmon moved that the bill be placed on the order of third reading;

Mr. Read moved that the bill be recommitted to the committee on banks and incorporations;

Which motion did not prevail.

The motion to place the bill on the order of the third reading, prevailed.

Mr. Bliss gave notice that on some future day he would ask leave to introduce

A bill to appropriate additional swamp lands on the Saginaw and Genesee State road.

Mr. Fowle gave notice that on some future day he would ask leave to introduce

A bill to provide for refunding bounties paid to volunteers in the town of Woodbridge, Hillsdale county.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to legalize the expenditure of certain school moneys in certain school districts;

Also,

A bill relative to fisheries and fishing in the waters of the State of Michigan;

Also,

A bill granting swamp land to the county of Wayne, to aid in cutting a drain through a marsh in the said county.

Mr. Lockwood moved to take from the table, House joint resolution No. 5, entitled

Joint resolution authorizing the Board of State Auditors to examine and allow the claims of G. & C. Merriam, for dictionaries furnished the State, and also the account of Doughty & Straw, for amount paid by them on the same;

Which motion prevailed.

Mr. Lockwood asked and obtained the unanimous consent of the House to amend the joint resolution by striking out so much thereof as relates to the claim of Messrs. Doughty & Straw.

Mr. Beakes, by unanimous consent, offered the following as a substitute for the joint resolution:

JOINT RESOLUTION authorizing and instructing the Board of State Auditors to examine and allow to G. & C. Merriam, whatever sum may be justly due them for dictionaries furnished this State, and to provide for the payment thereof.

Be it resolved by the Senate and House of Representatives,
That the Board of State Auditors be and they are hereby instructed to examine, audit and allow to G. & C. Merriam, so much as they shall find actually due them, for dictionaries furnished this State, with interest thereon; and for such sums so allowed by said Board, the Auditor General is hereby authorized to draw his warrant or warrants on the State Treasurer, and the State Treasurer is hereby authorized and required to pay the same out of any moneys in the Treasury not otherwise appropriated;

Which was adopted.

The question being upon the passage of the joint resolution,
It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Beakes,
Bliss,
Bowen,
Buckley,
Clark,
Cobb,
Combes,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,

Mr. Fellows,
Fifield,
Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hodgkinson,
Howard,
Howell,
Jenison,
Lockwood,
Luther,
Mallary,
Mason,
McMartin,

Mr. E. G. Morton,
H. C. Morton,
Piper,
Rankin,
Read,
Spencer,
G. A. Smith,
T. G. Smith,
Abram Smith,
Stewart,
Sweezey,
Thomas,
Tinham,
Warner,
Welch,
Wheeler,
Wilson,
Winans,
Woodman,
Speaker,

61

NAYS.

Mr. Bentley,
Betts,
Congdon,
Fitch,
Fowle,
Hemingway,
Keeney,

Mr. Littlejohn,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
Mosher,

Mr. Pendill,
Sherman,
Thayer,
Voorheis,
Weatherby,
Woodworth,

19

Title agreed to.

Mr. Combes offered the following:

Whereas, The use of this Hall was granted to Dr. Hempel, on Thursday evening next, for the purpose of delivering a lecture on Homeopathy;

And whereas, It is the imperative duty of this Legislature to transact all business pertaining thereto, as soon as practicable; therefore

Resolved, That Dr. Hempel be requested to divide his time, on said evening, with Dr. Kellogg, manufacturer and vendor of "worm tea," and "fit drops," to the end, that their claims for

swamp lands, in aid of their respective pursuits, may be heard at the same time, and at a less expense to the State.

On motion of Mr. Crego,

The resolution was laid on the table.

Mr. Lockwood, by unanimous consent, introduced

Joint resolution in relation to the gauge of the Pacific railroad.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Lockwood,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray
Dow,

Mr. Eldridge,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
McKernan,
McMartin,

Mr. H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
Mosher,
Piper,
Rankin,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thayer,
Voorheis,
Warner,
Welch,
Weatherby,
Wilson,
Winans,
Woodworth, 60

NAYS.

Mr. Erskine,
Howard,
Pendill,

Mr. Sherman,
Tinham,
Wheeler,

Mr. Williams,
Woodman,
Speaker, 9

Title and preamble agreed to.

Mr. Luther, previous notice having been given, and leave being granted, introduced

A bill to legalize and authorize the issuing of certain township bonds, of the township of Wright, in Ottawa county.

The bill was read a first and second time by its title.

On motion of Mr. Luther,

The bill was laid on the table.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to appropriate additional swamp land to aid in the construction of the Ithica and St. Charles State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, unanimous consent being given, introduced

A bill to provide for the incorporation of Presbyterian churches.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend sections 2, 4, 5, 6 and 7, of chapter 139, of the revised statutes of 1846, touching the limitation of actions relating to real property.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. White, previous notice having been given, and leave being granted, introduced

A bill to amend section 2748, chapter 88, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. White moved that the committee of the whole be discharged from the further consideration of joint resolution No. 8, being

Joint resolution for the relief of Conrad Gulmire;

Which motion prevailed.

On motion of Mr. White,

The joint resolution was placed on the order of third reading.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 23, entitled

A bill to amend section two of an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of 1846, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate, approved Feb 15, 1859,

Being under consideration,

On motion of Mr. Howell,

The bill was laid on the table.

House bill No. 26, entitled

A bill to repeal section 2, of act No. 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes, approved April 1st, 1840,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Buckley,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,

Mr. Mosher,
Pendill,
Piper,
Porter,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Swezey,
Thayer,
Tinham,
Voorheis,
Warner,
Weatherby,

Dow,
Eldredge,
Erskine,
Fellows,
Fifield,
Fitch,
Freeman,

McKernan,
McMartin,
H. Miller,
J. O. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Williams,
Wilson,
Winans,
Woodman,
Woodworth,
Speaker,

77

NAYS.

Title agreed to.

On motion of Mr. Dow,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 40, entitled

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water-craft,

Being under consideration,

On motion of Mr. Howell,

The reading of the bill *in extenso*, was dispensed with.

The bill was then read a third time by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Davis,
Deare,

Mr. Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,

Mr. Pendill,
Piper,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Voorheis,
Warner,

Denman,
Dixon,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Weatherby,
White,
Wilson,
Winans,
Woodman,
Woodworth,
Speaker,

77

NAYS.

0

Title agreed to.

Senate bill, entitled

A bill to amend section 2 of an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually provide for the care, maintenance and recovery of the insane, approved Feb. 14, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Cobb,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldredge,
Erskine,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
Mosher,

Mr. Piper,
Rankin,
Read,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker,

76

NAYS.

0

Title agreed to.

Senate bill No. 81, entitled

A bill to amend section one of an act entitled an act granting swamp land to the county of Genesee, to aid in cutting drains through a certain swamp in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Clark,
Cobb,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Mr. Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Hemingway,
Hodgkinson,
Howard,
Howell,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
Mosher,
Pendill,

Mr. Piper,
Porter,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinham,
Voorhefs,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodworth,
Speaker, 75

NAYS.

0

Title agreed to.

On motion of Mr. Rankin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 86, entitled

A bill to incorporate the village of Howell,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr Abbott,	Mr. Fowle,	Mr. Pendill,
Aldrich,	Freeman,	Piper,
Bentley,	Gaylord,	Rankin,
Betts,	Green,	Slafter,
Bliss,	Grinnell,	Spencer,
Buckley,	Harmon,	Sprague,
Burt,	H. A. Hayden,	G. A. Smith,
Cobb,	Haze,	T. G. Smith,
Cngdon,	Howard,	Abram Smith,
Cowan,	Howell,	Aura Smith,
Crane,	Jenison,	Stewart,
Crego,	Keeney,	Sweezy,
Davis,	Lockwood,	Thayer,
Deare,	Luther,	Toll,
Dixon,	Mallary,	Voorheis,
Dockeray,	McKernan,	Welch,
Dow,	John Miller,	Weatherby,
Fellows,	E. G. Morton,	Wilson,
Fifield,	H. C. Morton,	Winans,
Fitch,	Mosher,	Speaker, 69,

NAYS.

Mr. Allen,	Mr. Grosebeck,	Mr. J. C. Miller,
Clark,	Hemingway,	Read,
Combes,	Hodgkinson,	Tinham,
Denman,	Littlejohn,	White,
Eldredge,	McMartin,	Woodworth,
Griswold,		16

Title agreed to.

On motion of Mr. Harmon,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 12, entitled

A bill to amend the law of this State fixing the compensation of township treasurers,

Was read a third time, and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Buckley,
Clark,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Denman,

Mr. Fitch,
Fowle,
Gaylord,
Green,
Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Howard,
Keeney,
Lockwood,
Mallary,
Mason,
McKernan,
McMartin,

Mr. H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
Mosher,
Pendill,
Piper,
Sprague,
G. A. Smith,
Sweezey,
Thayer,
Voorheis,
White,
Williams,
Winans,
Woodman,

49

NAYS.

Mr. Burt,
Cobb,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Freeman,
Grinnell,
Grosebeck,

Mr. Hodgkinson,
Howell,
Jenison,
Littlejohn,
Luther,
H. C. Morton,
Rankin,
Read,
Slafter,
Spencer,
T. G. Smith,

Mr. Abram Smith,
Aura Smith,
Stewart,
Tinham,
Toll,
Welch,
Weatherby,
Wheeler,
Wilson,
Woodworth,
Speaker,

34

Pending the announcement of the vote,

Mr. Mason moved that Mr. Gaylord be excused from voting;

Which motion did not prevail.

Mr. Gaylord then voted as recorded above.

Mr. Dockeray moved that Mr. Crego be excused from voting;

Which motion did not prevail.

Mr. Crego then voted as recorded above.

Mr. Buckley moved that Mr. Burt be excused from voting;

Which motion did not prevail.

Mr. Burt then voted as recorded above.

Mr. Read moved that Mr. Spencer be excused from voting;

Which motion did not prevail.

Mr. Spencer then voted as recorded above.

Mr. Howell moved that Mr. Williams be excused from voting;

Which motion did not prevail.

Mr. Williams then voted as recorded above.

Mr. Dockeray gave notice that on to-morrow he would move to reconsider the vote by which the House refused to pass the bill.

House joint resolution, entitled

Joint resolution to encourage the erection of a telegraph line from Owosso, in Shiawassee county, to Lansing, in the county of Ingham,

Was read a third time, and two-thirds of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,

Mr. Fellows,
Fifield,
Fowle,
Freeman,
Gaylord,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hodgkinson,
Howard,
Howell,
Jenison,
Lockwood,
Luther,
Mallary,
McKernan,
John Miller,

Mr. E. G. Morten,
Pendill,
Rankin,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Sweezey,
Toll,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Woodman,
Speaker

58

NAYS.

Mr. Allen,
Combes,
Crane,
Dockeray,
Eldredge,
Fitch,

Mr. Keeney,
Littlejohn,
Mason,
McMartin,
H. Miller,
J. C. Miller,

Mr. Read,
G. A. Smith,
Aura Smith,
Stewart,
Thayer,
Tinham,

Green,
Grinnell,
Hemingway,

Mosher,
Piper,

Voorheis,
Woodworth,

25

Pending the announcement of the vote,

Mr. Buckley moved that Mr. Denman be excused from voting;

Which motion did not prevail.

Mr. Denman then voted as recorded above.

Mr. Mason gave notice that he would, on to-morrow, move to reconsider the vote by which the House refused to pass the joint resolution.

House bill No. 18, entitled

A bill to amend section 4159, of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Beakes asked and obtained the unanimous consent of the House to amend the bill, by striking out the words "shall have been given," in the amendment made to the 6th line of the bill.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crigo,
Davis,
Deare,
Denman,

Mr. Eldredge,
Field,
Fitch,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,

Mr. McMartin,
H. Miller,
John Miller,
E. G. Morton,
Mosher,
Pendill,
Piper,
Rankin,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Toll,
Voorheis,
Welch,
Weatherby,
White,

Dixon,
Dow,

Mason,
McKernan,

Wilson,
Speaker,

66

NAYS.

Mr. Gaylord,
J. C. Miller,
Sweezy,

Mr. Thayer,
Wheeler,
Williams,

Mr. Winans,
Woodman,
Woodworth, 9

Title agreed to.

House joint resolution No. 8, entitled

Joint resolution for the relief of Conrad Gulmire,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Bowen,
Buckley,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Fellows,

Mr. Fitch,
Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Lockwood,
Luther,
Mallory,
McKernan,
H. Miller,
John Miller,

Mr. E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,
Rankin,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Sweezy,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Speaker, 68

NAYS.

Mr. Betts,
Mason,
McMartin,

Mr. J. C. Miller,
Abram Smith,
Thayer,

Mr. Winans,
Woodman,
Woodworth, 9

Title and preamble agreed to.

House bill No. 42, entitled

A bill to amend section one of an act entitled an act to provide for the appointment of circuit court commissioners, in

cases of vacancy, approved February 2, 1855, being section 3998 of the compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Fitch,	Mr. H. C. Morton,
Aldrich,	Freeman,	Mosher,
Allen,	Gaylord,	Pendill,
Barnes,	Green,	Piper,
Beakes,	Grinnell,	Rankin,
Bentley,	Griswold,	Slafter,
Bliss,	Grosebeck,	Spencer,
Bowen,	Harmon,	Sprague,
Buckley,	H. A. Hayden,	G. A. Smith,
Burt,	Haze,	T. G. Smith,
Clark,	Hemingway,	Abram Smith,
Cobb,	Hodgkinson,	Aura Smith,
Combes,	Howard,	Stewart,
Congdon,	Howell,	Sweezey,
Cowan,	Jenison,	Toll,
Crane,	Lockwood,	Voorheis,
Crego,	Luther,	Warner,
Davis,	Mallary,	Welch,
Deare,	Mason,	Wheeler,
Denman,	McKernan,	Williams,
Dixon,	McMartin,	Wilson,
Dockeray,	J. C. Miller,	Winans,
Dow,	John Miller,	Woodworth,
Fellows,*	E. G. Morton,	Speaker,
Fifield,		

73

NAYS.

0

Title agreed to.

GENERAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the general order,

Mr. Hemingway in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to lay out and establish a State road from Lamont, via. Storrs' Mills, to Zealand, all in Ottawa county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

2. A bill supplementary to an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved March 15, 1861;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

WM. HEMINGWAY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howard,

The amendments made to the first named bill, by the committee, were concurred in, and the bill placed on the order of third reading.

On motion of Mr. Howell,

The second named bill was placed on the order of third reading.

Mr. Sherman moved that the House take a recess until this afternoon, at two o'clock;

Pending which,

On motion of Mr. Howell,

The House adjourned till to-morrow morning, at 9 o'clock.

Lansing, Wednesday, February 18, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called : quorum present.

Absent at roll call, without leave, Messrs. McMartin and G. A. Smith.

Mr. Littlejohn asked and obtained leave of absence for Mr. McMartin, for an indefinite time, on account of sickness.

Mr. Mosher asked and obtained leave of absence for Mr. G. A. Smith, until Tuesday next.

PRESENTATION OF PETITIONS.

By Mr. Dixon: petition of H. H. Noble, L. R. Smith, H. S. Case, and 90 other citizens of Antrim county and vicinity, for the organization of the county of Antrim;

Referred to the committee on towns and counties.

By Mr. Jenison: petition of Lewis Timmerman, Russell W. Holbrook, O. B. Ingersoll, and 81 others, to raise money for the relief of drafted soldiers;

Referred to the committee on banks and incorporations.

By M. Deare: petition of Richard H. Connor, A. S. Sherwood, Charles B. Chauvin, and 64 others, residents of Wayne county, praying for the appointment of plank road inspectors, who shall have power to supervise and cause to be kept in order, plank roads, &c.;

On motion of Mr. Sweezey,

The petition was laid on the table.

By Mr. Abram Smith: petition of Wm. Butlin, T. W. Bacon, and 58 others, for a redivision of the townships of east and west China;

Referred to the committee on towns and counties.

By Mr. Howard: memorial of Philip Phelps, Jr., and C. Van Der Veen, committee on behalf of the several churches of the Reformed Protestant Dutch Church, within the State of Michigan;

Referred to the committee on banks and incorporations.

By Mr. Parsons: petition of Dr. H. O. Holly, James Garrison, and 125 others, citizens of the county of Shiawassee, for the passage of a law to protect sheep from destruction by dogs, and to impose a tax upon the latter;

On motion of Mr. Dow,

The petition was laid on the table.

By Mr. Pratt: petition of Charles Cameron, and 79 others, citizens of the city of Marshall, praying for certain amendments in their city charter;

Referred to the committee on banks and incorporations.

By Mr. Pratt: petition of Leander Smith, and 68 other citizens of the township of Fredonia, Calhoun county, praying for a law legalizing bounties, &c., to volunteers;

On motion of Mr. Dow,

The petition was laid on the table.

By Mr. White: petition of Myron H. Burd, asking that the avails of the sale of 40 acres of school land, sold for interest, may be refunded;

Referred to the committee on ways and means.

By Mr. Lockwood: statement of Capt. George M. Lane, relative to the First Regiment of Michigan Mechanics and Engineers, and the memorial of certain soldiers, under arrest;

Referred to the committee on military affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Eunice M. Brasted, to change the name of Helen Maria Hoffman, to Brasted;

Also,

A bill to change the name of Helen Maria Hoffman,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 2748, chapter 88, of the compiled laws,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 5888, chapter 166, of the compiled laws, entitled of the punishment of fraudulent debtors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 6, of act No. 59, of session laws of 1853,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 100, of the revised statutes of 1840, the same being chapter 125 of the compiled laws, entitled of consolidating and referring cases;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3596 of the compiled laws, and section 3597, as amended by act No. 4, of laws of 1858, in reference to appeals from decrees and final orders in chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 3427, chapter 115, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to authorize proceedings, by garnishment, in the circuit courts, and in the district court of the Upper Peninsula, approved March 16, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. T. HOWELL, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred the petition of Alexander McRae, and 14 others, citizens of the township of Austin, that certain acts of school district No. 1, in said township, be legalized; and also a bill, entitled

A bill for the relief of school district No. 1, in the township of Austin, county of Sanilac,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to provide for the incorporation of villages, approved February 17, 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of A. W. Ingraham, and others, citizens of the village of Norvell City, in the county of Jackson, praying that so much of Railroad street, in said village, as lies between Exchange street and John street, be taken up and discontinued,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to discontinue and take up so much of Railroad street, as lies between Exchange street and John street, in the village of Norvell City, in the county of Jackson,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was re-committed House bill No. 36, being

A bill to amend the charter of the Farmers' Mutual Fire Insurance Association, of Berrien county, Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, for the reason that, in the opinion of your committee, Senate bill No. 32 provides fully for the making of such amendments, by such associations; and as a general law will cover all provisions of the character provided for by this bill, your committee ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 32, it being

A bill to amend act No. 262, of the session laws of 1859, entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved Feb. 15th, 1859, authorizing amendments of their articles of association, or charters,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 37, being

A bill to amend an act entitled an act to incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts, approved March 15th, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred sundry petitions of the residents and tax-payers of the city of Coldwater, praying that the charter of said city be so amended as to provide for the election of a collector for each ward of said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the prayer of said petitioners be not granted, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The petitions were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill relative to the discontinuance of plank roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the incorporation of Presbyterian churches,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of Wm. H. Jones and 14 others, members of the First Baptist Church, of Laphamville, in the county of Kent, praying that the acts of said church and society be legalized,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, together with a bill to carry out the prayer of the petitioners, entitled

A bill to legalize the proceedings of the First Baptist Church and Society, of Laphamville, Kent county,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate bill No. 26, being

A bill to provide for the paying or refunding of the bounty fund raised by the citizens of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Deare,

The House concurred in the amendment made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for draining Black River swamp, in Sanilac county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. S. DIXON, *for the Committee.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred a petition of Ross Wilkins, Lewis Cass, and 108 others, citizens of Detroit, asking an appropriation of 25,000 acres of swamp lands in aid of St. Mary's Hospital, St. Vincent's Orphan Asylum, and the Michigan State Retreat,

Beg leave to report that they have had the same under consideration, and for reasons which your committee will set forth, they are opposed to granting the lands for that object, or any other, except in compliance of the terms of the grant. These lands were granted to the State for the purpose of drainage and reclamation, and are held in trust by the State for that purpose, alone. To divert any portion of the land to any other purpose, until after this is accomplished, would be a direct violation of the act accepting the grant. This reason alone, is, in the opinion of your committee, sufficient to satisfy them. But there are other reasons why these lands should not be granted for such purposes. The State has adopted a road policy, and authorized several hundred miles of roads to be built, which are now in course of construction, and it would be an act of gross injustice to the contractors to dispose of these lands while the roads are in course of construction, as it necessarily will have a tendency to depreciate the lands, already nearly valueless.

It would also have a tendency to check the settlement of these lands by actual settlers, which would be still more unwise.

The low price to which the lands are now reduced, would make it an object still less desirable for these institutions, unless the intention should be to hold them for a long period.

Your committee are, therefore, of the opinion that it would be of no great benefit to the institutions to receive such a grant of lands, and they are forced to believe that their value has been very greatly over-estimated. For these reasons, and many more, that suggest themselves to your committee, they are opposed to granting the prayer of the petitioners, and recommend the petitioners have leave to withdraw their petition.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The petition was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the sale of swamp and primary school lands in the mineral range of the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

AUDITOR GENERAL'S OFFICE, }
Lansing, February 17, 1863. }

To Hon S. M. CUTCHERON, *Speaker of the House of Representatives:*

SIR:—In compliance with a resolution of the House, transmitted to to this department, under date of 16th inst., I respectfully report:

The amounts for which the Auditor General has drawn his warrants on the State Treasurer, since 1854, on account of appropriations for “grounds and buildings, and furnishing purposes,” so far as can be ascertained at this office, are as follows:

YEARS.	Insane Asylum.	D., D. & B. Asylum.	State Prison.	Reform Schl.	Ag'l School.
1855.....	\$23,422 24	\$19,778 91	\$24,000 00	\$11,058 89	\$10,856 95
1856.....	28,416 50	17,650 00	21,000 00	13,302 81	34,181 50
1857.....	23,921 53	33,000 50	23,000 00	6,128 10	48,619 02
1858.....	22,000 00	37,500 00	13,000 00	.....	3,158 85
1859.....	20,221 73	23,000 00	3,000 00	2,000 00	17,576 45
1860.....	30,500 00	30,000 00	10,000 00	10,175 00	13,219 43
1861.....	22,000 00	17,000 00	4,750 00	7,127 52	.....
1862.....	33,000 00	30,000 00	.....	2,181 76	.....
1863.....	2,000 00	.....	.....	.....	.....
Totals.....	\$219,500 00	\$215,369 47	\$97,750 00	\$22,624 06	\$127,214 16

As in all these cases the law making the appropriations, required the Auditor General to draw his warrant upon the State Treasurer, on the warrant or certificate of the several boards of control of these institutions, or some officer thereof, the files of this office do not show the purposes for which the various sums were expended, whether for grounds, buildings, or furniture and apparatus.

It is impossible, for the same reason, to determine where the appropriation of 1859, to the State Agricultural School, for the above purposes, ceased, as the appropriation was for buildings, repairs, and payment of salaries; the amount of expenditures in the above table, for 1860, for this school, it is probable, embraces some portion of salaries.

All of which is respectfully submitted.

E. ANNEKE,

Auditor General.

The communication was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gargett gave notice that on some future day he would ask leave to introduce

A bill to establish a State road from the terminus of the Saginaw and Gratiot State road, to Newaygo, and ask an appropriation of swamp lands for the construction of the same.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment, and to define the powers and duties of plank road inspectors;

Also,

A bill to authorize the townships of Hamtramck, Gross Point, Springwells, and Greenfield, in the county of Wayne, to raise money for bounty purposes.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to amend section 27, of chapter 128, of the revised statutes of 1846, being section 5000 of the compiled laws, entitled of forcible entry and detainer.

Mr. Pendill moved that the committee of the whole be discharged from the further consideration of House bill No. 116, entitled

A bill to confer certain forfeited lands, rights and privileges, upon the Marquette and Ontonagon railroad company, incorporated January 2, 1863, which were granted in the year 1857, to the Marquette and Ontonagon railway company, by an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 8, 1856, approved February 14, 1857;

Which motion prevailed.

On motion of Mr. Pendill,

The bill was made the special order for Tuesday next.

Mr. Mason moved to re-consider the vote by which the House refused to pass House joint resolution, entitled

Joint resolution to encourage the erection of a telegraph line from Owosso, in Shiawassee county, to Lansing, in the county of Ingham;

Which motion prevailed.

The question being upon the passage of the joint resolution,

Mr. E. G. Morton moved to re-commit the joint resolution to the committee on ways and means, with instructions to so change the same, as to make it a loan to the telegraph company;

Which motion did not prevail.

Mr. E. G. Morton moved to lay the joint resolution on the table;

Which motion did not prevail.

The joint resolution was not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,

Mr. Dow,
Fellows,
Fifield,
Fowle,
Freeman,

Mr. H. C. Morton,
Parsons,
Pendill,
Rankin,
Slafter,

Betts,
Bowen,
Buckley,
Burt,
Congdon,
Cook,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,

Griswold,
Harmon,
Haze,
Hodgkinson,
Howell,
Jenison,
Lockwood,
Luther,
Mason,
McKernan,
John Miller,
E. G. Morton,

Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Sweezy,
Tull,
Warner,
Welch,
Williams,
Wilson,
Woodman,
Speaker, 51

NAYS.

Mr. Allen,
Bliss,
Clark,
Combes,
Crane,
Dockeray,
Eldredge,
Fitch,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,

Mr. Henry Hayden, Mr. Aura Smith,
Hemingway,
Keeney,
Littlejohn,
H. Miller,
J. C. Miller,
Mosher,
Piper,
Porter,
Pratt,
Read,
Sherman,

Stewart,
Thayer,
Thomas,
Tinham,
Voorheis,
Weatherby,
Wheeler,
White,
Winans,
Woodworth, 35

Pending the announcement of the vote,

Mr. Crego moved that Mr. White be excused from voting;

Which motion did not prevail.

Mr. White then voted as recorded above.

Mr. Freeman moved that Mr. H. C. Morton be excused from voting;

Which motion did not prevail.

Mr. H. C. Morton then voted as recorded above.

Mr. Erskine moved that Mr. Bliss be excused from voting;

Which motion did not prevail.

Mr. Bliss then voted as recorded above.

Mr. Lockwood moved that the committee of the whole be discharged from the further consideration of House bill No. 112, being

A bill to extend the time for the construction of the Marquette and Ontonagon railroad, under the act disposing of cer-

tain grants of land for railroad purposes, by act of Congress approved June 3d, 1856, approved February 14th, 1857, and the acts amendatory thereof, on certain conditions;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was made the special order for Tuesday next, in connection with House bill No. 116.

Mr. Dockeray moved to reconsider the vote by which the House refused to pass House bill No. 12, entitled

A bill to amend the law of this State, fixing the compensation of township treasurers;

Which motion prevailed.

On motion of Mr. Woodman,

The bill was laid on the table.

Mr. Allen, unanimous consent being given, introduced

A joint resolution relative to the claim of Alexander Titchworth.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Barnes, unanimous consent being given, introduced

A bill to authorize the common council of the city of Lansing to levy taxes for city purposes, for the year 1862, and to extend the time for the collection of taxes in said city.

The bill was read a first and second time by its title, and referred to committee on banks and incorporations.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill granting swamp lands to the county of Wayne, to aid in cutting a drain through a marsh in the said county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to legalize the expenditure of certain school moneys in certain school districts.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Jenison, previous notice having been given, and leave being granted, introduced

A bill to authorize the electors of the township of Watertown, Clinton county, to raise moneys for the relief of drafted soldiers.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Bowen, unanimous consent being given, introduced

A bill to amend section 19 of an act to provide for the incorporation of villages, being section 2116 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Bliss, previous notice having been given, and leave being granted, introduced

A bill to appropriate an additional half section of swamp land on each mile of the Saginaw and Genesee State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Eldredge, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill number 46, entitled

A bill supplementary to an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved March 15, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,

Mr. Fellows,
Fifield,

Mr. Mosher,
Parsons,

Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldredge,
Erskine,

Fitch,
Fowle,
Freeman,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howell,
Jenison,
Littlejohn,
Luther,
Mason,
McKernan,
H. Miller,
H. C. Morton,
John Miller,

Piper,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Wilson,
Winans,
Woodman,
Speaker,

69

NAYS.

Mr. Pratt,

1

Title agreed to.

Mr. Mason moved to reconsider the vote by which the bill was passed;

Which was withdrawn.

Mr. Parsons renewed the motion to reconsider;

Which was also withdrawn.

On motion of Mr. Crego,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 45, entitled

A bill to lay out and establish a State road from Lamont via Storrs' Mills, to Zealand, all in Ottawa county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,

Mr. Freeman,
Gargett,
Grinnell,

Mr. Pendill,
Piper,
Porter,

Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cook,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. O. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Pratt,
Rankin,
Read,
Spencer,
Sprague,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Speaker,

77

NAYS.

0

Title agreed to.

On motion of Mr. Luther,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Woodman,

The House went into committee of the whole on the general order,

Mr. Eldredge in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills:

1. A bill to amend chapter 111 of the compiled laws, entitled of masters, apprentices and servants;

2. Joint resolution instructing the board of State Auditors to make a settlement with Thomas Sullivan;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee have also had under consideration the following entitled bills:

3. A bill to amend chapter 109, of the revised statutes of 1846; in relation to partition of lands, being chapter 135 of the compiled laws, by adding four new sections thereto;

4. A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3570 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery;

5. A bill to provide for the better security of mechanics and others, erecting buildings, or performing other mechanical work;

6. A bill to amend an act entitled an act to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, A. D. 1849, being chapter 141 of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee have also had under consideration, the following entitled bill:

7. A bill to authorize the First Congregational Society, of the village of Grand Haven, to sell certain real estate;

Have struck out all after the enacting clause of the bill, and ask the concurrence of the House therein.

The committee have also had under consideration the following entitled bill:

8. A bill to amend section 5 of an act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859;

Report the same back to the House, without recommendation.

J. B. ELDREDGE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mason,

The two first named bills were placed on the order of third reading.

On motion of Mr. Lockwood,

The amendments to the third named bill were concurred in, and the bill was ordered engrossed for a third reading.

Mr. Hemingway moved to amend the fourth named bill by inserting after the word "commissioner," in the 6th line of section 1, the words "or sheriff;"

Which motion did not prevail.

On motion of Mr. Mason,

The amendments to the fourth, fifth and sixth named bills were then concurred in, and the bills were ordered engrossed for a third reading.

On motion of Mr. Parsons,

The House concurred in the action of the committee on the seventh named bill.

On motion of Mr. Howell,

The eighth named bill was laid on the table.

On motion of Mr. Mason,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Thursday, February 19, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Buckley, Denman, Erskine, H. Miller, Raymond and Swezey.

Mr. Haze asked and obtained leave of absence for Mr. Buckley, until Tuesday next.

Mr. Davis asked and obtained leave of absence for Mr. Denman, for an indefinite time, on account of sickness.

Mr. Luther asked and obtained leave of absence for Mr. Erskine, for an indefinite time, on account of sickness.

Mr. Slafter asked and obtained leave of absence for Mr. H. Miller, for an indefinite time.

Mr. Read asked and obtained leave of absence for Mr. Raymond, for an indefinite time, on account of sickness.

Mr. Barnes asked and obtained leave of absence for Mr. Sweezey, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Haze: remonstrance of F. Darrow, John P. LeRoy, Levi Bacon, Jr., and 140 others, citizens of Pontiac, against the repeal of act No. 194, of the session laws of 1861, entitled an act to enlarge Union School District No. 2, of Pontiac;

Referred to the committee on education.

By Mr. Abram Smith: remonstrance of H. C. Kranitz, Michael Halpin, and 51 others, citizens of the townships of East and West China, against a re-division of said townships;

Also, remonstrance of Wm. Comes, Nelson Decatur, and 32 others, for the same purpose;

Referred to the committee on towns and counties.

REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill entitled an act to compel settlers on swamp lands to file a certificate and oath of settlement and occupancy,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with a substitute therefor, and recommend that it do pass, and ask to be discharged from its further consideration.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill appropriating and granting swamp lands to the county of Menominee, for drainage purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the bill do not pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table:

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to appropriate half section of swamp land on each mile of the Saginaw and Genesee State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution No. 5, entitled

Joint resolution for the relief of Samuel Bement and Lucius Warner,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill; being

A bill to amend an act entitled an act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1853, and an act amendatory thereto, approved Feb. 12th, 1855, it being section 815 of compiled laws, relating to fees for collecting expenses;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. G. Morton,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 14, 1858,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 2, 4, 5, 6 and 7, of chapter 189, of the revised statutes of 1846, touching the limitation of actions relating to real property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of inhabitants of Mecosta county, asking that the county of Clare be attached to the county of Mecosta, for judicial and municipal purposes,

Respectfully report that they have had the same under consideration, and have directed me to report, in accordance with the prayer of the petitioners, the accompanying bill, entitled

A bill to attach the county of Clare to the county of Mecosta, for judicial and municipal purposes,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 10, of the compiled laws of 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred:

A bill to amend section 8, of act No. 125, of the laws of 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 12, being

A bill to amend an act entitled an act to amend sections 11 and 127, chapter 116, of the compiled laws, relative to security of costs, in justices' courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending

that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendments made by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend section 19 of an act to provide for the incorporation of villages, being section 2116 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the common council of the city of Lansing to levy taxes for city purposes for the year 1862, and to extend the time for the collection of taxes in said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the electors of the township of Watertown, Clinton county, to raise moneys for the relief of drafted soldiers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred:

A bill to amend sections 10, 12, 19 and 22, of chapter 72, of the revised statutes of 1846, being chapter 108 of the compiled laws, entitled of the sale of real estate on executions.

Respectfully report that they have considered the same, and instructed the undersigned to report the same back to the House, with the accompanying amendments, which they recommend be concurred in, and that when so amended, that the bill do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD,

For the Committee.

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate joint resolution No. 6, entitled

Joint resolution tendering the thanks of the State to the Michigan soldiers in the field,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying substitute for the joint resolution, and ask that the same be adopted, and when so adopted, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Beakes,

The joint resolution was ordered printed in the journal.

The following is the joint resolution:

JOINT RESOLUTION of thanks to the Michigan Regiments, and Batteries in the field.

Whereas, The several regiments and batteries of Michigan soldiers in the field, by their ready response to the call to arms, by their indomitable fortitude under the fatigues and privations of war, their heroic bravery and brilliant achievements upon the battle field, have covered themselves with renown, and contributed to place the name of Michigan high upon the roll of imperishable honor; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That tendering to them the thanks of the State for their valuable services, we also assure them, that while Michigan thus holds them forth as examples of emulation to the regiments and batteries of other States, she is, also, proudly grateful to them for the renown which their noble deeds have shed upon her name, and claiming them for her own, she points to them with feelings of maternal pride, and in the language of the noble Roman mother, exclaims, "these are my jewels."

Resolved, That the Governor be and he is hereby required to forward a copy of the foregoing preamble and joint resolution to each of the regiments and batteries of Michigan soldiers now in the field.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill No. 39, entitled

A bill to provide for the protection of game in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. B. ELDREDGE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Griswold,

The House concurred in the amendments made by the committee.

On motion of Mr. E. G. Morton,

The bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 18, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled joint resolutions:

1. Joint resolution in relation to the gauge of the Pacific railroad;

2. Joint resolution to authorize the sale, by the State Treasurer, of 2,000 copies of the compiled laws;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolutions were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 18, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to provide for the election and classification of Regents the University,

And to inform the House that the Senate has amended the the same, by striking out the proviso at the end of section two;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate

Mr. Lockwood moved that the House concur in the amendment made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Burt,
Clark,
Congdon,
Cook,
Cowan,
Crane,
Orego,
Davis,
Deare,
Dixon,
Dockeray,

Mr. Dow,
Eldredge,
Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howell,
Jenison,

Mr. Keeney,
Lockwood,
Luther,
Mallary,
Mason,
E. G. Morton,
Mosher,
Parsons,
Porter,
Read,
Spencer,
Sprague,
Aura Smith,
Weatherby,
Williams,
Woodworth,
Speaker,

58

NAYS.

Mr. Fifield,
Green,
Harmon,
Hemingway,
Littlejohn,
McKernan,
J. C. Miller,

Mr. Piper,
Pratt,
Rankin,
Slafter,
Stewart,
Thomas,
Tinham,

Mr. Toll,
Voorheis,
White,
Wilson,
Winans,
Woodman,

20

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mason offered the following:

Resolved, That no bills shall be introduced in this House, this session, after the 25th instant;

Which was adopted.

Mr. Harmon, previous notice having been given, and leave being granted, introduced

A bill to repeal sections 1, 2, 3, 4, 5, 8 and 9, of chapter 177, title 37, of the compiled laws, entitled "of the protection of the rights and liberties of persons claimed as fugitive slaves," the same being sections 5694, 5695, 5696, 5697, 5698, 5701 and 5702, of the compiled laws.

The bill was read a first and second time by its title.

Mr. Howell moved to lay the bill on the table.

Mr. Mason demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Cobb,
Combes,
Cowan,
Crane,
Crego,
Davis,
Dixon,
Dockeray,
Dow,
Fellows,
Fowle,

Mr. Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Hood,
Howell,
Jenison,
Luther,
Mallery,
H. C. Morten,
Mosher,
Parsons,
Piper,
Porter,
Rankin,
Read,

Mr. Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker

NAYS.

Mr Barnes,	Mr. Harmon,	Mr. J. C. Miller,
Beakes,	H. A. Hayden,	John Miller,
Clark,	Henry Hayden,	E. G. Morton,
Congdon,	Hodgkinson,	Pendill,
Deare,	Howard,	Pratt,
Eldredge,	Keeney,	Sherman,
Fifield,	Littlejohn,	Abram Smith,
Fitch,	Lockwood,	Tinham,
Gaylord,	Mason,	White,
Grasebeck,	McKernan,	Winans, 30

Mr. Read moved to reconsider the vote by which the bill was laid on the table;

Mr. Howell moved to lay the motion on the table;

Mr. Pendill demanded the yeas and nays.

The demand was not seconded.

The motion to lay on the table, prevailed.

Mr. Mason offered the following:

Resolved, That the Auditor General be requested to inform this House the amount of money expended on the Asylums, State Prison, Reform School and Agricultural College, since 1854, for other than for grounds, buildings and furnishing purposes, including all expenses;

Which was adopted.

Mr. Gargett offered the following:

Resolved, That the committee on public lands be instructed to bring in a bill to appropriate swamp lands to aid certain colleges, agreeable to the many petitions on that subject, re- to said committee.

On motion of Mr. Betts,

The resolution was laid on the table.

Mr. Williams moved to take from the table, House bill No. 50, entitled

A bill to amend section 5 of an act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859;

Which motion prevailed.

Mr. Williams moved that the bill be made the special order for Monday next.

Mr. Crego moved to amend the motion by striking out the word "Monday," and inserting the word "Thursday," in lieu thereof;

Which motion prevailed.

The motion, as amended, prevailed.

Mr. Wheeler offered the following:

Resolved, That the committee on military affairs be instructed to bring in a bill establishing a military school, in connection with the Agricultural College.

On motion of Mr. Howell,

The resolution was made the special order for to-morrow.

Mr. Howell moved to take from the table the following resolution:

Resolved, That the committee on public lands be instructed to bring in a bill to appropriate swamp lands to aid certain colleges, agreeable to the many petitions on the subject, referred to said committee;

Which motion prevailed.

On motion of Mr. Howell,

The resolution was made the special order for to-morrow, in connection with the last resolution.

Mr. T. G. Smith gave notice that he would on some future day ask leave to introduce

A bill to amend sections 8, 19, 21, 22 and 23, of an act entitled an act to provide for the incorporation of villages, approved February 17, 1857, the same being chapter 72, of the compiled laws.

Mr. Sherman moved to take from the table House bill No. 125, entitled

A bill to change the time of holding elections in the Upper Peninsula, and to repeal the existing law on that subject;

Which motion prevailed.

On motion of Mr. Sherman,

The bill was placed on the order of third reading.

Mr. Parsons moved to take from the table House bill No. 29, being

A bill to amend section thirty-seven hundred and eighty-six, of chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace;

Which motion prevailed.

On motion of Mr. Parsons,

The bill was placed on the order of third reading.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill to amend section 6, of act No. 117, of the session laws of 1859.

Mr. Hemingway moved to take from the table House bill No. 28, entitled

A bill to amend section 2 of an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

Mr. Barnes gave notice that he should on to-morrow move to re-consider the vote by which the House concurred in the amendments made by the Senate, to House bill No. 24, entitled

A bill to provide for the election and classification of Regents of the University.

Mr. Betts gave notice that on some future day he would ask leave to introduce

A bill for appropriating a certain amount of swamp lands for the purpose of draining State swamp lands, in St. Joseph county.

Mr. Thomas gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Assyria to raise the sum

of \$1,650, on the taxable property of said township, for the payment of volunteers.

Mr. John Miller gave notice that on some future day he would ask leave to introduce

A bill to divide the township of Port Huron, in St. Clair county, and organize the north part of said township into a new township.

Mr. Eldredge offered the following:

Resolved, That the committee on military affairs be and are hereby instructed, to take into consideration the propriety of introducing a bill to provide for the relief of the families of volunteers and drafted men, who shall remove into counties other than those in which such men may have volunteered, or have, or shall be hereafter drafted;

Which was adopted.

Mr. Mallary moved to discharge the committee of the whole from the further consideration of House bill No. 135, being

A bill to discontinue and take up so much of Railroad street, as lies between Exchange street and John street, in the village of Norvell City, in the county of Jackson;

Which motion prevailed.

On motion of Mr. Mallary,

The bill was laid on the table.

Mr. Woodman moved to take from the table House bill No. 12, being

A bill to amend the law of this State fixing the compensation of township treasurers;

Which motion prevailed.

On motion of Mr. Woodman,

The bill was committed to the committee on State affairs.

Mr. Lockwood moved to take from the table House bill No. 38, entitled

A bill in relation to assignments, and to require assignees to give security,

And that it be put upon its final passage;

Which motion prevailed.

Mr. Pratt moved to re-commit the bill to the committee on the judiciary, with instructions to so amend the same as to confine the provisions of the bill to providing that assignors shall make their assignments under oath, and that assignees shall give security;

Mr. Hemingway called for a division of the question.

The question being upon re-committing the bill,

The motion prevailed.

The question recurring upon the motion to instruct the committee,

Mr. Beakes offered the following as a substitute for the instructions:

Amend section 1 by inserting after the word "every," in the first line, the word "general." Also, by adding at the end of the section, the following: "And also an affidavit of the assignee, or one or more of the assignees, that such assignor is made in good faith, without any intent to defraud any creditor, and that the inventory or schedule of property annexed to such assignment, and the list of creditors, and the amounts due to each as therein stated, are made in good faith, and are correct and true, as near as may be, and as the person making such affidavit verily believes."

Mr. Lockwood demanded the yeas and nays on the adoption of the substitute for the instructions.

The demand was seconded, and the substitute was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Barnes,
Beakes,
Bentley,
Bowen,
Clark,
Combes,
Congdon,

Mr. Cook,
Fifield,
Gaylord,
Griswold,
Hemingway,
Hodgkinson,
Keeney,
Lockwood,

Mr. Mallery,
Mason,
Mosher,
Piper,
Toll,
Warner,
Speaker,

23

NAYS.

Mr. Aldrich,
Betts,

Mr. Grinnell,
Grosebeck,

Mr. Spencer,
Sprague,

Bliss,
Cobb,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fitch,
Fowle,
Freeman,
Gargett,
Green,

H. A. Hayden,
Haze,
Hood,
Howard,
Howell,
Littlejohn,
Luther,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,
Pendill,
Pratt,
Sherman,
Slafter,

T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thayer,
Tinham,
Voorheis,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Woodworth,

53

The question then recurring upon the original motion of instructions,

Mr. Beakes demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Betts,
Cook,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldridge,
Fitch,
Harmon,
Hodgkinson,
Howell,

Mr. Jenison,
Keeney,
Littlejohn,
Luther,
J. C. Miller,
John Miller,
E. G. Morton,
Piper,
Pratt,
Sherman,
Slafter,

Mr. Spencer,
Abram Smith,
Aura Smith,
Thayer,
Tinham,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodworth,

34

NAYS.

Mr. Aldrich,
Allen,
Barnes,
Beakes,
Bowen,
Clark,
Cobb,
Congdon,
Cowan,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,

Mr. Mason,
McKernan,
Parsons,
Rankin,
Read,
Sprague,
T. G. Smith,
Stewart,
Toll,

Crane,
Crego,
Fifield,
Fowle,
Freeman,

Hemingway,
Hood,
Howard,
Lockwood,
Mallary,

Voorheis,
Warner,
White,
Woodman,
Speaker. 42

Mr. Green offered the following:

Resolved, That the committee on agriculture be and they are hereby instructed to inquire into the expediency of allowing the supervisors of each county, at their annual sessions in October, in each year, to appropriate a portion of the tax now raised on the taxable property of this State, for the benefit of agricultural societies, to be used for the encouragement of the production of syrup and sugar from the Sorghum, and to report to this House, by bill or otherwise;

Which was adopted.

Mr. Eldredge gave notice that on some future day he would ask leave to introduce

A bill to authorize commissioned officers to take the acknowledgment of deeds, affidavits and depositions, in certain cases.

Mr. Barnes, unanimous consent being given, introduced

Joint resolution relative to a contract made by Daniel B. Hibbard and others, relative to the labor of convicts in the State Prison.

The joint resolution was read a first and second time, by its title, and referred to the committee on ways and means.

Mr. Beakes, unanimous consent being given, introduced

A bill to amend chapter 42 of the compiled laws, so as to authorize circuit courts to discharge certain duties heretofore performed by county judges.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Harmon, previous notice having been given, and leave being granted, introduced

A bill to amend sections 5575 and 6129 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Davis, unanimous consent being given, introduced

A bill to provide for taking the census and statistics of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Harmon, previous notice having been given, and leave being granted, introduced

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to provide for the appointment and duties of plank road inspectors.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Burt, previous notice having been given, and leave being granted, introduced .

A bill to lay out and establish a State road, from near Dallas Station, on the Detroit and Milwaukee railroad, to Houghton Lake, in Roscommon county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 23, entitled

A bill to amend section 2 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Clark,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dockerey,
Dow,
Fifield,

Mr. Fitch,
Fowle,
Green,
Grinnell,
Griswold,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hood,
Keeney,
Littlejohn,
Lockwood,
Mallory,
Mason,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Pratt,
Aura Smith,
Toll,
Voorhees,
Warner,
Williams,
Woodman,
Woodworth,

46

NAYS.

Mr. Cobb,
Dixon,
Eldredge,
Freeman,
Gargett,
Gaylord,
Grosebeck,
Harmon,
Hodgkinson,

Mr. Howard,
Howell,
Luther,
McKernan,
H. C. Morton,
Rankin,
Read,
Sherman,
Sprague,

Mr. T. G. Smith,
Abram Smith,
Stewart,
Thayer,
Tinham,
Wheeler,
White,
Wilson,
Speaker,

27

House bill No. 29, entitled

A bill to amend section 3786, chapter 117, of the compiled laws, in relation to transcripts of judgments rendered by justices of the peace,

Was read a third time, and a majority of all the members elect not voting therefor, was not passed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Beakes,
Betts,
Bliss,
Burt,
Clark,
Combes,
Congdon,

Mr. Eldredge,
Gargett,
Gaylord,
Harmon,
Haze,
Hemingway,
Howard,
Jenison,
Keeney,

Mr. E. G. Morton,
Mosher,
Pendill,
Sherman,
Sprague,
Thayer,
Thomas,
Toll,
Warner,

Cowan,
Crane,
Deare,

Lockwood,
Mallary,
Mason,

White,
Winans,
Speaker,

36

NAYS.

Mr. Aldrich,
Bentley,
Bowen,
Cobb,
Crego,
Davis,
Dixon,
Dockeray,
Dow,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Grinnell,

Mr. Griswold,
Grosebeck,
Henry Hayden,
Hodgkinson,
Hood,
Howell,
Littlejohn,
Luther,
McKernan,
J. O. Miller,
John Miller,
H. C. Morton,
Parsons,
Piper,
Pratt,

Mr. Read,
Slafter,
Spencer,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Tinharn,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodman, 45

Mr. Pratt moved to reconsider the vote by which the House refused to pass the bill;

Pending which,

Mr. Lockwood moved that there be a call of the House;

Which motion prevailed.

The roll was called by the Clerk, and Messrs. Burt, Gaylord and Porter reported absent without leave.

Mr. Howell moved that further proceedings under the call be dispensed with;

Which motion did not prevail.

On motion of Mr. Read,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Gaylord at the bar of the House;

Mr. Gaylord was admitted, and rendered his excuse, which was accepted by the House.

Mr. Winans moved that further proceedings under the call be dispensed with; .

Which motion did not prevail.

On motion of Mr. Howell,

Mr. Burt was excused for non-attendance, on account of sickness.

On motion of Mr. Read,

All further proceedings under the call were dispensed with.

The question pending, being the motion to reconsider the vote by which the House refused to pass the bill,

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Green,	Mr. Parsons,
Allen,	Griswold,	Pendill,
Barnes,	Grosebeck,	Piper,
Beakes,	Harmon,	Porter,
Betts,	H. A. Hayden,	Pratt,
Bliss,	Haze,	Rankin,
Clark,	Hemingway,	Sherman,
Combes,	Hodgkinson,	Slafter,
Congdon,	Howard,	Sprague,
Cook,	Keeney,	T. G. Smith,
Cowan,	Littlejohn,	Thayer,
Crane,	Lockwood,	Thomas,
Deare,	Mallary,	Toll,
Dixon,	Mason,	Voorheis,
Dow,	McKernan,	Warner,
Eldridge,	John Miller,	White,
Fitch,	E. G. Morton,	Williams,
Gargett,	H. C. Morton,	Speaker,
Gaylord,	Mosher,	

56

NAYS.

Mr. Aldrich,	Mr. Fowle,	Mr. Abram Smith,
Bentley,	Grinnell,	Aura Smith,
Bowen,	Hood,	Welch,
Cobb,	Howell,	Weatherby,
Crego,	Jenison,	Wheeler,
Dockeray,	Luther,	Wilson,
Fellows,	J. C. Miller,	Woodman,
Fifield,	Read,	Woodworth,

24

The question being upon the passage of the bill,

It was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr Abbott,
Allen,
Barnes,
Beakes,
Betts,
Bliss,
Clark,
Cobb,
Combes,
Uongdon,
Cook,
Cowan,
Crane,
Deare,
Dixon,
Dow,
Eldredge,
Fitch,

Mr. Gargett,
Gaylord,
Green,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Howard,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Mr. Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Sherman,
Sprague,
T. G. Smith,
Thayer,
Thomas,
Toll,
Warner,
White,
Williams,
Winans,
Speaker,

52

NAYS.

Mr. Aldrich,
Bentley,
Bowen,
Crego,
Davis,
Dockerty,
Fellows,
Fifield,
Fowle,
Freeman,
Grinnell,

Mr. Griswold,
Grosebeck,
Henry Hayden,
Hedgkinson,
Hood,
Howell,
Jenison,
Luther,
McKernan,
J. O. Miller,
Read,

Mr. Slafter,
Spencer,
Abram Smith,
Aura Smith,
Stewart,
Voorheis,
Welch,
Weatherby,
Wheeler,
Wilson,
Woodworth, 33

. Title agreed to.

House bill No. 125, entitled

A bill to change the time of holding the election for State and county officers in the Upper Peninsula, and to repeal the existing law on that subject,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,

Mr. Gaylord,
Green,
Grinnell,
Griswold,

Mr. Pendill,
Piper,
Porter,
Pratt,

Bentley,
Betts,
Bliss,
Bowen,
Clark,
Cobb,
Combes,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fitch,
Fowle,
Freeman,
Gargett,

Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,

Rankin,
Read,
Sherman,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinharn,
Toll,
Voorheis,
Warner,
Wheeler,
White,
Williams,
Wilson,
Woodworth,
Speaker,

77

0

NAYS.

Title agreed to.

Senate joint resolution No. 2, entitled:

Joint resolution instructing the Board of State Anditors to make a settlement with Thomas Sullivan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Cobb,
Combs,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,

Mr. Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,

Mr. Piper,
Porter,
Pratt,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
Stewart,
Thayer,
Tinharn,
Toll,
Voorheis,
Weatherby,

Dixon,
Dow,
Fifield,
Fowle,
Freeman,
Gaylord,
Grinnell,

Mason,
McKernan,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Wheeler,
White,
Wilson,
Winans,
Woodworth,
Speaker,

62

NAYS.

Mr. Eldredge,

Mr. Sherman,

2

Title and preamble agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business, under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 51, entitled

A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3570 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,

Mr. Fellows,
Fifield,
Fitch,
Freeman,
Green,
Grinnell,
Griswold,
Grosebeck,

Mr. E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Read,

Bowen,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,

H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. C. Miller,
John Miller,

Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Stewart,
Thayer,
Thomas,
Tinhams,
Voorheis,
Weatherby,
White,
Williams,
Woodworth, 66

NAYS.

Mr. Gaylord,
Harmon,
Howell,

Mr. Wheeler,
Wilson,

Mr. Winans,
Speaker,

7

Title agreed to.

Mr. Beakes gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was passed.

House bill No. 48, entitled

A bill to amend chapter 109, of the revised statutes of 1846, in relation to partition of lands, being chapter 135 of the compiled laws, by adding four new sections thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cook,

Mr. Fitch,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,

Mr. Parsons,
Pendill,
Piper,
Porter,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinhams,

Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,

Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Wilson,
Winans,
Woodworth,
Speaker,

76

NAYS.

0

Title agreed to.

House bill No. 47, entitled

A bill to amend chapter 111 of the compiled laws, entitled of
masters, apprentices and servants:

Was read a third time and passed, a majority of all the mem-
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Fellows,
Fifield,

Mr. Fitch,
Fowle,
Freeman,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Haze,
Heminway,
Hodgkinson,
Hood,
Howard,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. C. Miller,
John Miller,
E. G. Morton,

Mr. H. C. Morton,
Parsons,
Pendill,
Piper,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
Abram Smith,
Stewart,
Thayer,
Thomas,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Woodworth,
Speaker,

71

NAYS.

Mr. Howell,

1

Title agreed to.

House bill No. 49, entitled

A bill to provide for the better security of mechanics and others, erecting buildings, or performing other mechanical work,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Howell asked the unanimous consent of the House to amend the bill by striking out all of section 8, after the word "submitted;"

Objected to by Mr. Lockwood.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Davis,
Dow,

Mr. Fellows,
Fitch,
Fowle,
Gargett,
Gaylord,
Green,
Griswold,
Harmon,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Jenison,
Keeney,
Lockwood,
Mason,
J. O. Miller,

Mr. E. G. Morten,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Read,
Sprague,
Voorheis,
Warner,
White,
Winans,
Woodman,
Woodworth,
Speaker,

53

NAYS.

Mr. Crego,
Deare,
Dixon,
Dookeray,
Eldredge,
Fifield,
Freeman,

Mr. H. A. Hayden,
Henry Hayden,
Howell,
Littlejohn,
Luther,
Mallory,
John Miller,

Mr. Abram Smith,
Aura Smith,
Stewart,
Thayer,
Welch,
Weatherby,
Wheeler,

Grinnell,
Grosebeck,

Slafter,
Spencer,

Williams,
Wilson,

27

Title agreed to.

House bill No. 55, entitled

A bill to amend an act entitled an act to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, A. D. 1849, being chapter 141 of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Lockwood asked and obtained the unanimous consent of the House to amend the bill by inserting after the word "five," in the first line of section one, the words, "of chapter 141 of the compiled laws."

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Parsons,

Mr. Rankin,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinharn,
Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Woodman,

Freeman,
Gargett,
Gaylord,

Pendill,
Piper,
Porter,
NAYS.

Woodworth,
Speaker,
80
6

Title agreed to.

Mr. Sherman moved that the bill be ordered to take immediate effect;

Which motion did not prevail.

UNFINISHED BUSINESS,

Being the consideration of the enacting clause of House bill, entitled

A bill to authorize the First Congregational Society, of the village of Grand Haven, to sell certain real estate.

On motion of Mr. Lockwood,

The enacting clause was laid on the table.

GENERAL ORDER.

On motion of Mr. Lockwood,

The House went into committee of the whole on the general order,

Mr. Thomas in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two;

2. A bill to authorize the Mt. Clemens and Romeo Plank Road Company to discontinue a portion of their road, and for other purposes;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

GEORGE THOMAS, *Chairman.*

Report accepted and committee discharged.

The Speaker called Mr. Howell to the chair.

On motion of Mr. Cutcheon,

The House concurred in the amendments made to the first named bill, by the committee.

Mr. Cutcheon then moved to amend the bill, by striking out the words "one thousand five hundred dollars," in the 10th line of section 1, and insert the words "two thousand dollars," in lieu thereof;

Which was adopted.

Mr. Gaylord then offered the following, to stand as section 2, of the bill:

Sec. 2. Section four of said act, being section one of an act amendatory thereto, approved January 17, 1862, shall be amended so as to read as follows:

Sec. 4. In all cases of granting letters testamentary, and of administration, and letters of guardianship, under any law of this State, where, by the provisions of law, an inventory and appraisement of property is required, the executor, administrator, or guardian, receiving such letters, shall, at the time of making and returning such inventory, pay into the treasury of the proper county, an amount equal to one per cent., upon the amount of such inventory and appraisement, required by law to be made and returned to the probate court, in such cases; and the receipt of the county treasurer therefor, shall be filed in the office of the probate judge; and there shall be no other or further steps taken in the case, until said amount is so paid into the county treasury, and the receipt filed, as aforesaid; and if any executor, administrator or guardian, shall neglect or refuse, for the space of thirty days after the time above limited, to pay such amount, and file such receipt, as provided in this section, the judge of probate shall have power, and it shall be

his duty, to enter an order in said case, reciting the fact, and annulling the letters so granted; and on proper application, he shall proceed to appoint an administrator or administrators, with the will annexed, or guardian, as the case may be, in place of the one thus removed, in the same manner, and with like effect, as if there had been none appointed in the case;

Which was adopted.

Hr. Hemingway moved to amend the bill by striking out all of section 3;

Which was not adopted.

On motion of Mr. Spencer,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Friday, February 20, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Fairfield.

Roll called : quorum present.

Absent at roll call, without leave, Messrs. Cobb, McKernan, Abram Smith, Thayer and White.

Mr. Fellows asked and obtained leave of absence for Mr. Cobb, for an indefinite time.

Mr. Parsons asked and obtained leave of absence for Mr. McKernan, for the day.

Mr. Parsons asked and obtained leave of absence for himself, for an indefinite time.

Mr. J. C. Miller asked and obtained leave of absence for Mr. Abram Smith, for an indefinite time, on account of sickness.

Mr. Rankin asked and obtained leave of absence for Mr. Thayer, for an indefinite time, on account of sickness.

Mr. Beakes asked and obtained leave of absence for Mr. White, until Wednesday next.

PRESENTATION OF PETITIONS.

By Mr. John Miller: petition of E. W. Hains, A. E. Chadwick, O. D. Conger, and 47 others, residing on and near the line of the

Capac and Clyde State road, praying that said road may be extended until it intersects the Almont and Cass River State road, and asking a grant of swamp lands to aid in constructing said road;

Referred to the committee on public lands.

By Mr. John Miller: petition of Lucius Beach, Benjamin Burroughs, and thirts-six other electors of the township of Port Huron, in St. Clair county, praying that the north part of said township be set off and organized into a new township of Keesao;

Referred to the committee on towns and counties.

By Mr. Henry Hayden: petition of Hans Miller, A. M. Johnson, and 42 others, for aid from the swamp land funds, in deepening the ferryway on the line of the Port Huron, Bay City and Clinton State road, at Bay City;

Referred to the committee on public lands.

By Mr. Barnes: remonstrance of Louis O. Loomis and others, against the passage of House bill No. 50, relating to insurance companies;

Referred to committee on the judiciary.

By Mr. Orego: remonstrance of L. D. Capel, A. H. Godfrey, and 122 others, of Jackson county, against an act to amend an act incorporating insurance companies;

Referred to the committee on the judiciary.

By Mr. Dixon: petition of Chauncy Hall, Charles Holley, and 8 others, citizens of the township of Milton, Grand Traverse county, for an enlargement of the boundaries of said township;

Referred to the committee on towns and counties.

By the Speaker: petition of George H. Hill, and 48 other citizens of Washtenaw county, praying for the repeal of section 1, of act No. 16, of the laws of 1862;

Referred to the committee on military affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred the pe-

tition of the board of supervisors of Allegan county, asking for the passage of a law allowing the board of supervisors to fix their own compensation, at a sum not exceeding two dollars and fifty cents per day,

Respectfully report that they have had the subject under consideration, and are of the opinion that such a law would be subject to great abuses, and that the prayer of your petitioners ought not to be granted. Your committee, however, are satisfied that the compensation now allowed, is insufficient, and in some counties leads to a great abuse of the law. By amending the present law so as to allow them two dollars per day, when acting on the board, would remedy the evil complained of by your petitioners. Your committee would therefore submit the accompanying bill, entitled

A bill to amend section 30, of chapter 10, of the compiled laws, relative to the compensation of supervisors,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to renew internal improvement land warrants, issued by the Auditor General, pursuant to an act entitled an act to regulate the issuing of certain land warrants, approved March 29, 1859; and to extend the time for locating the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. K. GREEN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following joint resolutions:

1. Joint resolution to authorize the sale, by the State Treasurer, of 2,000 copies of the compiled laws;
2. Joint resolution in relation to the gauge of the Pacific railroad.

CHAS. BETTS, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The President announced the following:

SENATE CHAMBER,
Lansing, February 20, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to provide for the erection of a building for the treasury department of the State;
2. A bill to prevent fishing with seines, nets, spears, firearms, or any weapon other than hook and line, in any of the lakes, rivers or inlets of the county of Oakland,

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 20, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to repeal section 2, of act No. 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes, approved April 1st, 1840;

2. A bill to legalize the apportionment of State and county taxes, for the year 1862, in the county of Huron, and to extend the time for collecting the same;

3. A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5, 1859;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 19, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to amend sections seven and eight, of chapter sixty, of the revised statutes of 1846, being sections 2450 and 2451, of the compiled laws, relative to the terms of payment on the sale of University and school lands;

2. A bill to authorize the payment of a State bounty to volunteers, mustered into the military service of the United States;

3. A bill for the acceptance of the donation of public lands, made by act of Congress, approved July 5th, 1862, providing for the endowment of Colleges for the benefit of Agriculture and the Mechanic arts;

4. A bill to provide for the improvement of a certain road known as the Battle Creek and Lansing State road;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYOE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on public lands.

The second named bill was read a first and second time by its title, and referred to the committee on military affairs.

The third named bill was read a first and second time by its title, and referred to the committee on State affairs and federal relations, jointly.

The fourth named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 19, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to prevent the importation, running at large, and sale of diseased sheep;

2. A bill to amend act No. 170, of the laws of 1861, entitled an act to amend an act entitled an act to provide against the recovery of damages done by beasts, on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of the compiled laws;

Which have passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Barnes moved that the committee of the whole be discharged from the further consideration of House bill No. 152, entitled

A bill to authorize the common council of the city of Lansing to levy taxes for city purposes, for the year 1862, and to extend the time for collecting taxes in said city;

Which motion prevailed.

On motion of Mr. Barnes,

The rules were suspended, and the bill put upon its final passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Beakes,
Bentley,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Combes,
Congdon,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,

Mr. H. O. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,

Cook,
Cowan,
Crane,
Orego,
Davis,
Deare,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. O. Miller,
John Miller,
E. G. Morton,

Stewart,
Thomas,
Tinham,
Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Williams,
Wilson,
Woodwerth,
Speaker,

73

NAYS.

0

Title agreed to.

On motion of Mr. Dow,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Mason offered the following:

Resolved, That the committee on State affairs be instructed to bring in a bill authorizing the State Treasurer to loan the public money, at a less rate than five per cent. interest.

Mr. Barnes moved to amend the resolution, so as to instruct the committee to inquire if any amendment was desirable, to the existing law on that subject;

Which amendment was accepted.

The resolution was then adopted.

Mr. Barnes moved to re-consider the vote by which the House concurred in the amendment made by the Senate, to House bill No. 24; entitled

A bill to provide for the election and classification of Regents of the University.

The Speaker decided that the bill having been referred to the committee on engrossment and enrollment, it could only be reached by a motion for that committee to report the bill back to the House.

Mr. Hemingway moved that the committee on engrossment and enrollment be requested to report back to the House, forthwith, House bill No. 24, entitled

A bill to provide for the election and classification of Regents of the University;

Which motion prevailed.

The committee on engrossment and enrollment then submitted the following report:

The committee on engrossment and enrollment, to whom was referred House bill No. 24, entitled

A bill to provide for the election and classification of Regents of the University,

Report the same back to the House, without action thereon.

CHAS. BETTS, *Chairman*.

Report accepted.

Mr. Barnes moved to reconsider the vote by which the House concurred in the amendment made to the bill, by the Senate;

Mr. Beakes demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. Piper,
Aldrich,	Gargett,	Porter,
Allen,	Grinnell,	Pratt,
Barnes,	Griswold,	Raukin,
Bentley,	H. A. Hayden,	Read,
Betts,	Henry Hayden,	Sherman,
Bliss,	Haze,	Slafter,
Bowen,	Hemingway,	Spencer,
Burt,	Hood,	Sprague,
Clark,	Howard,	T. G. Smith,
Combes,	Howell,	Aura Smith,
Cook,	Jenison,	Stewart,
Cowan,	Keeney,	Thomas,
Crego,	Littlejohn,	Toll,
Davis,	Luther,	Voerheis,
Deare,	Mallary,	Welch,
Dixon,	J. C. Miller,	Weatherby,
Dockeray,	John Miller,	Wheeler,
Dow,	E. G. Morton,	Williams,
Fellows,	H. C. Morton,	Wilson,
Fifield,	Mosher,	Winans,
Fitch,	Parsons,	Woodman,
Fowle,	Pendill,	Woodworth, 69

NAYS.

Mr. Beakes,
Congdon,
Crane,
Eldredge,
Gaylord,

Mr. Green,
Grosebeck,
Harmon,
Hodgkinson,
Lockwood,

Mr. Mason,
Tinharn,
Warner,
Speaker,

14

The question then being on concurring in the amendment made to the bill, by the Senate,

It was not concurred in, by yeas and nays, as follows:

YEAS.

Mr. Barnes,
Beakes,
Clark,
Congdon,
Crane,

Mr. Eldredge,
Gaylord,
Green,
Hodgkinson,

Mr. Lockwood,
Mason,
Warner,
Speaker,

18

NAYS.

Mr. Abbott,
Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Burt,
Combes,
Cook,
Cowan,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Fellows,
Fifield,
Fitch,
Freeman,
Gargett,
Grinnell,

Mr. Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Luther,
Mallary,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Pratt,
Rankin,
Sherman,
Slafter,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Thomas,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Woodman,
Woodworth, 66

Mr. T. G. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend section 8, of chapter 141 of the compiled laws, relative to proceedings against garnishees.

Mr. Jenison gave notice that on some future day he would ask leave to introduce .

A bill to appropriate the non-resident highway tax for the improvement of the Detroit and Grand River Road, from the city of Lansing to the west line of section 27, in Watertown, Clinton county.

Mr. J. C. Miller offered the following:

Resolved, That the use of this Hall be granted to the friends of the St. Paul's Sabbath School Association, on next Wednesday evening, for a musical concert, the proceeds to be applied to the use of said sabbath school;

Which was adopted.

Mr. Beakes, unanimous consent being given, introduced

A bill to amend section 88 of an act entitled an act to revise the charter of the city of Ypsilanti, approved February 15, 1859.

The Speaker called Mr. Howell to the chair.

Mr. Cutcheon moved that the rules be suspended, and that the bill be put upon its immediate passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Beakes,
Bentley,
Bliss,
Bowen,
Burt,
Clark,
Combes,
Congdon,
Cook,
Cowan,
Orans,
Davis,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,

Mr. Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Read,
Sherman,
Spencer,
Sprague,
Aura Smith,
Stewart,
Thomas,
Timham,
Toll,

Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Freeman,
Gargett,

Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Woodman,
Speaker,

74

NAYS.

0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Woodman offered the following:

Resolved, That the use of this Hall be granted to the friends of Rev. Dr. Fairfield, who desire him to preach "A Sermon for the Times," next Sabbath, at 2 o'clock, P. M.;

Which was adopted.

Mr. Gargett gave notice that on some future day he would ask leave to introduce

A bill for the relief of the Saginaw and Alma Plank Road Company.

Mr. Parsons offered the following:

Resolved, That the Speaker be and he is hereby authorized and requested to add two members to the committee on the judiciary, but that such addition shall not thereby change the number necessary to constitute a quorum of said committee for the transaction of business;

Which was adopted.

Mr. Bliss offered the following:

Whereas, The firemen of this House, by reason of the deficiency of the apparatus for heating, and the bad quality of the fuel furnished, are obliged, in order to keep the House in a comfortable condition, to keep up the fire during the entire night, whereby one of them must be up during the night acting in the double capacity of fireman and watchman; therefore

Resolved, That the firemen be paid fifty cents per day each, as a compensation for acting as night watchmen;

Which was adopted.

Mr. Burt, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish a State road from the county site of Isabella county, to Big Rapids, in Mecosta county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Gargett, previous notice having been given, and leave being granted, introduced

A bill to lay out, establish and construct a State road from the terminus of the Saginaw and Gratiot State road, in Gratiot county, to Newaygo.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill relative to fisheries and fishing in the waters of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. McMartin, previous notice having been given, and leave being granted, introduced

A bill for the relief of the settlers on section 16, in township 4 north, of range 12 west, in the county of Allegan.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. John Miller, previous notice having been given, and leave being granted, introduced

A bill to organize the township of Keosau, in the county of St. Clair.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to amend section 27, of chapter 123, of the revised statutes of 1846, being section 5000 of the compiled laws, entitled of forcible entry and detainer.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced

A bill to authorize certain corporations, and bodies of a corporate nature, to sell real estate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay Railroad.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Eldredge, previous notice having been given, and leave being granted, introduced

A bill authorizing commissioned officers to take acknowledgment of deeds, affidavits and depositions, in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to encourage manufactures.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend sections 8, 19, 21, 22 and 33, of an act entitled an act to provide for the incorporation of villages, approved February 17, 1857, the same being chapter 72 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Howell, unanimous consent being given, introduced

A joint resolution to authorize the purchase of Lambert's Field Tourniquette, for the use of the Michigan soldiers in the service of the United States.

The joint resolution was read a first and second time by its title.

Mr. Williams moved that the joint resolution be referred to a select committee of five;

Which motion prevailed.

The Speaker appointed Messrs. Williams, Combes, Haze, Stewart and Woodworth, as such committee.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to amend section 50 of chapter 134 of the compiled laws, of the action of ejectment;

Also,

A bill to amend sections 74, 105, 126, and 160, of chapter 17 of the compiled laws, entitled of the assessment and collection of taxes;

Also,

A bill to amend an act entitled an act to provide for the floating of logs and timber in the streams of this State, approved March 16, 1861;

Also,

A bill to authorize the board of supervisors of the county of Saginaw, to raise money, by taxation, for the re-payment of bounties to volunteers.

Mr. Spencer moved that the committee of the whole be discharged from the further consideration of House bill No. 67, entitled

A bill to change the name of the village of Ionia county seat, to Ionia;

Which motion prevailed.

Mr. Spencer moved that the rules be suspended, and that the bill be put upon its immediate passage;

A bill to amend section 27, of chapter 123, of the revised statutes of 1846, being section 5000 of the compiled laws, entitled of forcible entry and detainer.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced

A bill to authorize certain corporations, and bodies of a corporate nature, to sell real estate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay Railroad.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Eldredge, previous notice having been given, and leave being granted, introduced

A bill authorizing commissioned officers to take acknowledgment of deeds, affidavits and depositions, in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to encourage manufactures.

The bill was read a first and second time by its title, and referred to the committee on agriculture and manufactures.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend sections 8, 19, 21, 22 and 33, of an act entitled an act to provide for the incorporation of villages, approved February 17, 1857, the same being chapter 72 of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Howell, unanimous consent being given, introduced

A joint resolution to authorize the purchase of Lambert's Field Tourniquette, for the use of the Michigan soldiers in the service of the United States.

The joint resolution was read a first and second time by its title.

Mr. Williams moved that the joint resolution be referred to a select committee of five;

Which motion prevailed.

The Speaker appointed Messrs. Williams, Combes, Haze, Stewart and Woodworth, as such committee.

Mr. Gaylord gave notice that on some future day he would ask leave to introduce

A bill to amend section 50 of chapter 134 of the compiled laws, of the action of ejectment;

Also,

A bill to amend sections 74, 105, 126, and 160, of chapter 17 of the compiled laws, entitled of the assessment and collection of taxes;

Also,

A bill to amend an act entitled an act to provide for the floating of logs and timber in the streams of this State, approved March 16, 1861;

Also,

A bill to authorize the board of supervisors of the county of Saginaw, to raise money, by taxation, for the re-payment of bounties to volunteers.

Mr. Spencer moved that the committee of the whole be discharged from the further consideration of House bill No. 67, entitled

A bill to change the name of the village of Ionia county seat, to Ionia;

Which motion prevailed.

Mr. Spencer moved that the rules be suspended, and that the bill be put upon its immediate passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS..

Mr. Abbott,	Mr. Freeman,	Mr. H. C Morton,
Aldrich,	Gargett,	Mosher,
Allen,	Gaylord,	Parsons,
Barnes,	Grinnell,	Pendill,
Beakes,	Griswold,	Piper,
Bentley,	Grosebeck,	Rankin,
Bliss,	Harmon,	Read,
Burt,	Henry Hayden,	Spencer,
Clark,	Haze,	Aura Smith,
Combes,	Hemingway,	Stewart,
Congdon,	Hodgkinson,	Thomas,
Cowan,	Hood,	Tinham,
Crane,	Howard,	Toll,
Davis,	Howell,	Voorheis,
Deare,	Jenison,	Warner,
Dixon,	Keeney,	Welch,
Dockeray,	Littlejohn,	Weatherby,
Dow,	Luther,	Wheeler,
Eldredge,	Mallary,	Williams,
Fifield,	J. C. Miller,	Winans,
Fitch,	John Miller,	Woodman,

63

NAYS.

Title agreed to.

On motion of Mr. Spencer,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Williams moved to discharge the committee of the whole from the further consideration of House joint resolution No. 11, entitled

Joint resolution authorizing the Board of State Auditors to settle the claims of the State against the bail of John McKinney, late State Treasurer;

Which motion prevailed.

On motion of Mr. Davis,

The joint resolution was placed on the order of third reading.

Mr. Pendill gave notice that on some future day he would ask leave to introduce

A bill asking an appropriation of swamp lands, to aid in the construction of roads, in the Upper Peninsula.

Mr. J. C. Miller offered the following:

Resolved, That this House will not, hereafter, consider more than ten swamp land bills, in one day.

On motion of Mr. Burt,

The resolution was laid on the table.

Mr. Welch gave notice that on some future day he would ask leave to introduce

A bill for the improvement of the State road from Portland, in Ionia county, to the Detroit and Grand River road, in the county of Clinton.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, No. 39, entitled

A bill for the protection of game in the State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Eldredge,

The bill was recommitted to the select committee, to which the bill had been heretofore referred.

SPECIAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the special order,

Mr. Fellows in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following resolutions:

Resolved, That the committee on military affairs be instructed to bring in a bill establishing a military school, in connection with the Agricultural College;

Resolved, That the committee on public lands be instructed

to bring in a bill to appropriate swamp lands to aid certain colleges, agreeable to the many petitions on the subject, referred to said committee;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

O. H. FELLOWS, *Chairman.*

Report accepted, and leave granted the committee to sit again.

Mr. Mason moved that the House adjourn;

Which motion did not prevail.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

Mr. Beakes, by unanimous consent, moved to reconsider the vote by which the House passed House bill No. 51, entitled

A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3570 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery;

Which motion prevailed.

On motion of Mr. Beakes,

The bill was re-committed to the committee on the judiciary.

The Speaker announced Messrs. T. G. Smith and Gaylord, as the additional members to the committee on the judiciary, authorized by a resolution adopted by the House this forenoon.

SPECIAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the special order,

Mr. Fellows in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following resolutions:

1. *Resolved*, That the committee on military affairs be instructed to bring in a bill establishing a military school, in connection with the Agricultural College;

2. *Resolved*, That the committee on public lands be instructed to bring in a bill to appropriate swamp lands to aid certain colleges, agreeable to the many petitions on the subject, referred to said committee;

Report the same back to the House, and ask to be discharged from the further consideration thereof.

O. H. FELLOWS, *Chairman*.

Report accepted and committee discharged.

The first named resolution was adopted.

The question being upon the adoption of the second named resolution,

Mr. Abbott demanded the yeas and nays.

The demand was seconded, and the resolution was not adopted, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Barnes,
Bentley,
Combes,
Congdon,

Mr. Cook,
Cowan,
Crego,
Fellows,
Haze,

Mr. Mosher,
Read,
Thomas,
Speaker,

14

NAYS.

Mr. Aldrich,
Allen,
Betts,
Bliss,
Bowen,
Burt,
Clark,
Crane,
Davis,
Deare,
Dockeray,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,

Mr. Piper,
Porter,
Pratt,
Rankin,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,

Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Green,
Grinnell,
Griswold,

Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Pendill,

Tinham,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Woodman,

64

Mr. Barnes asked and obtained leave of absence for Mr. Woodworth, for an indefinite time.

On motion of Mr. Howell,

The House adjourned until to-morrow morning, at 9 o'clock

Lansing, Saturday, February 21, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Armstrong.

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Gaylord, Grosebeck and Warner.

Mr. Bliss asked and obtained leave of absence for Mr. Gaylord, for the day.

Mr. Eldredge asked and obtained leave of absence for Mr. Grosebeck, until Thursday next.

Mr. Lockwood asked and obtained leave of absence for Mr. Warner, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. J. C. Miller: petition of F. P. Kesson, Levi Stephens, and 83 others, praying that the board of supervisors of Berrien county, may be authorized and empowered to lay out all the money accruing from the sale of swamp lands in range 19 and 20 west, in making roads across, and drains through said lands; Referred to the committee on public lands.

By Mr. Barnes: remonstrance of Horatio Pratt, and 26

others, against the passage of House bill No. 50, relating to insurance companies;

Referred to the committee on the judiciary.

By Mr. Deare: petition of Lewis C. Allard and 40 others, taxpayers of school district No. 3, of Grosse Point, in Wayne county, to have certain lands in Macomb county attached to said county of Wayne;

Referred to the committee on towns and counties.

By Mr. Crego: remonstrance of H. C. Osborn, M. Longyear, and 170 others, citizens of Jackson county, against the passage of a bill to amend an act entitled an act for the incorporation of insurance companies;

Referred to the committee on the judiciary.

By Mr. Mallary: petition of the president and trustees of the village of Romeo, in the county of Macomb, for authority to alter the boundaries of said village;

Referred to the committee on towns and counties.

By Mr. Slafter: petition of John Curry, D. W. Harrison, A. N. Fisher, and 18 others, for an appropriation of swamp lands for the improvement of a State road from Vienna, in Genesee county, to Tuscola, in Tuscola county;

Referred to the committee on public lands.

By Mr. Wilson: petition of I. K. Lockwood and others, asking for a law to authorize the building or flooding of dams on Thunder Bay river;

Referred to the committee on public lands.

By Mr. Wilson: memorial on behalf of fishermen of Michigan, protesting against the passage of any law to suppress pound or trap net fishing;

On motion of Mr. Howell,

The memorial was ordered printed, and referred to the committee on State affairs.

The following is the memorial:

To the Honorable the Senate and House of Representatives of the State of Michigan:

The undersigned, memorialist, on behalf of the fishermen of this State, begs leave most respectfully to protest against the passage of any law, the effect of which is to suppress all pound, or trap-net fisheries, in this State.

He begs leave respectfully to present some of the reasons that induce the fishermen to oppose the passage of any law to abridge their rights, or curtail their privileges. No such law should be passed:

1st. Because it would operate most injuriously and ruinously upon a large class of honest, industrious citizens engaged in the business of fishing, along the shores of our great lakes, whose entire property and means of livelihood consists in their nets, boats, and fishing apparatus. By the passage of any such law, these men, who have settled on lands of the State, along the shores, and cultivated them as far as practicable, pursuing the fishing business during the proper season, would be driven from their homes or left to starve;

2d. Because, by such a law the quantity of white fish caught and offered in market would be greatly diminished—probably more than three-fourths—thereby doubling or more than doubling the price of this article of commerce; thus making the consumers pay a tax of one hundred per cent., the only benefit of which would accrue to a few persons—perhaps a single firm, in Detroit—who have the monopoly of all or nearly all the seine fisheries on Detroit river, and, as we are informed, hold and use most extensive trap-net fisheries on the Wisconsin shore of Lake Michigan. It is not alone the honest, hard-working fisherman whose little all is involved in this controversy, that will suffer by such a law, but the whole community, in the high price of fish, as a consequence, besides the loss to the entire commerce of the State in the immense diminution of this spontaneous source of wealth.

The fisheries of Northern and Western Michigan, where only trap nets are of any practical use, constitute one of the great

sources of wealth of these regions; and your memorialist cannot believe that your honorable body are ready to lop that off, and involve so many persons and so much property in ruin, even though a few men in Detroit may be made more wealthy thereby.

It may be said that it is not proposed to forbid fishing with seines. But all are well aware that where the trap or pound nets are used, the fish do not approach near enough to the shore to render seines of any avail, and know that if they can suppress pounds, the Detroit river fisheries would have the entire monopoly of the business in this State, and untold profits would be the consequence.

But it is contended by the advocates of this measure, that the taking of such large quantities of white fish will, in time, depopulate the lakes and ruin the trade. It is impossible, from the nature and habits of the white fish, that such an event can occur, unless the nets are made with meshes of only one-tenth the size of those now in use, taking fish too small to be of any value. On the other hand, were there no white fish caught in any manner, the quantity would not greatly increase; while by the use of pound or trap nets, the quantity is not only not diminished, but in many localities actually augmented. The quantity would not increase materially were none caught, for the reason that the white fish goes into deep water at the end of his second or third year's growth, and dies, having run his race and accomplished his purpose, leaving his place vacant for the next generation; so that though each female may lay and hatch her hundreds of thousands this year, she lives to raise her brood no more than twice, if she does the second time.

The lakes cannot be depopulated of white fish, for the reason that at the time of fishing with pound nets, the minnows of last year, and of a few months before, are full grown fish, and there are millions of the young ones of the present year's hatching, too small to be caught in any net. At the next year's fishing time these will be full grown, and give place to another brood

of young; so that if *all* full grown white fish are caught this year, the next year will show a full crop; while those of the year before if not caught, have gone to their tomb in the depths of the lake—never to return. It is now a well settled fact in the history of the white fish, and all this family of fall spawning fish, that they are short lived, the former not living more than 2 or 3 years at most; and that this fish, as does the shad and salmon, grows most of his growth, from a minnow of a few ounces, to a full grown fish of from 5 to 9 lbs., in the short space of less than three months.

The spawn is laid in November and December, and hatching begins in the spring; the young fish remaining on the shoal spawning ground until May or June. They then seek deep, cold water, and may be seen in vast numbers at such places as the straits of Mackinaw and others, where the water is cold and clear. A short time after these younger ones are seen, the last year's fry, then about 14 months old, make their appearance, and are from two to three inches long, weighing only a few ounces. This is in July; and from that time to about the same time in September, these last years fry attain the size of full grown fish—thus making all their growth from minnows too small to be caught by any net, to full sized fish, in less than three months. The same is true of the salmon, and some other fall spawning fish belonging to this family.

The artificial cultivation of fish in France and Scotland, on an extensive scale, and in this country to less extent, has thrown much light on this subject, and taught lessons in relation to the habits and nativity of fishes, never before dreamed of. It cannot have escaped the observation of all, that the white fish are of remarkably uniform size, there rarely being more than a few ounces difference in any lot, however numerous, except as between the males and females—only two sizes being noticable; no *half-grown* white fish, as is the case with pickerel and others, are ever caught, the time of their growth from minnows to full size, being in July and August, when pound nets are not used, and the fish are not merchantable.

"In November and December of 1853, about 300,000 eggs (of the salmon) were deposited in hatching boxes at Stormontfield, near Perth, Scotland. In April and May, of the succeeding year, the hatching took place, and on the 15th of April the young fish were first observed at large in the troughs. In June of that year, 1854, the young fish having attained a length of about one and a half inches, were introduced to the larger sphere of the pond, where they were carefully fed and attended for twelve months. In May and June, 1855, when the fish were one year old, the young fry having attained the size of what is familiarly known as smolts, were marked, by cutting off the adipose fin. About one in a hundred only were thus marked and liberated. Some of the young fish remained in the pond, but a large majority proceeded to the sea.

The largest smolts which left the place of their nativity in May and June, measured no more than about seven inches in length, and weighed from one-half to two ounces, only. In August following, a portion of them returned from the sea, after an absence of about two months. The marked ones were weighed, and the smallest one was found to weigh three and one-half pounds, another five, another five and one-half, one five and three-fourths, one seven and one-half, and one nine and one-half pounds. The latter one measured over two and one-half feet in length." The author further remarks that "they received no attention, whatever."

Prof. J. C. Comstock, in his Essay on Fish Breeding, when speaking of the fall-spawning fishes, says: "This class contains those which belong to the family of the salmon and trout, including several species of the shad-salmon, or white fish."

That the white fish belongs to the class of short-lived and rapid-growing fishes, is well established.

Prof. Theodatus Garlic, M. D., author of an admirable volume on fish culture, thus speaks, in a letter addressed to the memorialist, on the subject: "I have given this subject a good deal of attention, and made careful observations on the history and habits of this valuable fish, (white fish,) for the last eight

or nine years; and the only conclusion I can arrive at is, that his age is about two years.

"My opinion is based partly upon what we *absolutely know* about several species of fish that belong to this family of fishes, and partly upon what *I know* by actual observation of the *white fish* during the first year and a half of his existence.

"The white fish, as so all of this family, spawn late in the fall. The time of incubation is about twelve weeks. The young fish do not leave the spawning ground until late in the spring. In the month of July they make their appearance in myriads at the Sault St. Marie, in the shoal rapids, and are about two and a half inches long. Shortly after the young fry make their appearance, the young fish hatched the year before appear. Their average length is about four or five inches, and they nearly if not quite double their size during the few days they remain there.

"This is the last we see of young white fish. It will seem incredible to a majority of persons that they should increase to such a size in so short a time, but no fact is better established than that this family increases from two and a half ounces to six pounds, and in some cases to as much as nine pounds, in the short period of three months.

"It is not until after the first year that fish make this rapid growth. The white fish is a short-lived fish, like the shad and many varieties of fishes.

Very respectfully, yours, &c.,

T. GARLICK."

This is the testimony of a man of reliable character and extensive observation on this subject, having no interest to subserve other than that of scientific research.

But your memorialist is of the opinion that the pound fishing serves, indirectly, to increase the white fish, by destroying large numbers of sturgeon and other long-lived fish, of the sucker class, that lay upon the shoals and suck up the spawn of the white fish, and thus destroy millions.

It is found by fishermen that in many localities, where a few years ago hundreds of sturgeon were caught in their pounds,

more recently very few are taken, and that in all such localities the white fish have correspondingly increased.

Therefore, believing that the passage and enforcement of such a law would work great injustice to a large class of honest and industrious citizens, and involve them in ruin; would diminish very greatly the commerce of our lake coasts; and increase to an almost indefinite extent the price of this article of food, while it would serve only to enrich a few at the expense of the many, without any public benefit, the fishermen hope and trust that no such law will be allowed to pass.

While we would protest against the passage of a law to interfere with pound net, or seine fishing, by which the fish are taken alive, thus being a wholesome and safe article of commerce, we are free to admit that some action may be necessary in relation to gill-net fishing—not because of any danger of exhausting the fish, but because the fish thus caught, are generally strangled and dead, when taken, and not unfrequently have been dead several days, and have so far commenced the process of decay, that though by thorough salting at first, they will in the spring pass inspection, yet will not keep through the summer; and thereby the purchaser suffers loss. Gill-net fishing constitutes but a very small item in the business, and is yearly becoming less, as the fish-dealers now generally discourage it, and refuse to purchase and warrant the fish; yet it might be well, at least, to restrict such fishing, if permitted at all to continue, to a period of the year when the water is very cold, and there is less liability of the fish being injured, before taken from the net.

All will at once see that there can be no difference between the quality of fish caught in pound nets and those caught in seines, from the fact that in both cases they are always taken from the water perfectly alive and healthy; the only difference being that the seine caught fish are dirty, from being taken out upon the ground, while those from pounds are taken directly into boats, and always kept clean.

All of which is most respectfully submitted by your memorialist, on behalf of the fishermen of Michigan.

B. L. HILL.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter forty-two of the compiled laws, so as to authorize circuit courts to discharge certain duties heretofore performed by county judges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize certain corporations, and bodies of a corporate nature, to sell real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3570 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendments made by the committee.

On motion of Mr. Hemingway,

The bill was ordered engrossed for a third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate Bill No. 29, being

A bill to amend act No. 179, of the laws of 1861, entitled an act to amend an act entitled an act to provide against the recovery of damages done by beasts, on lands not enclosed by a lawful fence, approved March 17th, 1847, being section 628 of compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section twenty-seven, of chapter one hundred and twenty-three, of the revised statutes of 1846, being section 5000 of the compiled laws, relative to proceedings for forcible entry and detainer,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill in relation to assignments, and to compel assignees to give security,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lockwood,

The House concurred in the amendments made by the committee.

On motion of Mr. Howell,

The bill was ordered engrossed for a third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred sundry petitions, asking for the passage of a law authorizing the appointment of plank road inspectors,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the accompanying bill, entitled

A bill to provide for and authorize the appointment of plank road inspectors, and prescribe their duties,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay Railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLARY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections 8, 19, 21, 22 and 33, of an act entitled an act to provide for the incorporation of villages, approved February 17, 1857, the same being chapter 72 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. F. MALLARY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the joint committee on State affairs and federal relations:

The joint committee on State affairs and federal relations, to whom was referred

A bill for the acceptance of the donation of public lands, made by act of Congress, approved July 2, 1862, providing for the endowment of Colleges for the benefit of Agriculture and the Mechanic arts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ,

Chairman Committee on State Affairs.

W. T. HOWELL,

Chairman Com. on Federal Relations.

Report accepted and committee discharged.

On motion of Mr. Read,

The bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prevent fishing with seines, nets, spears, fire-arms, or any weapon other than hook and line, in any of the lakes, rivers, streams or inlets, of the county of Oakland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred Senate bill No. 34, being

A bill to prevent the importation, running at large, and sale of diseased sheep,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred Senate bill No. 36, being

A bill to amend sections 7 and 8, of chapter 60, of the revised statutes of 1846, being sections 2450 and 2451 of the compiled laws, relative to the terms of payment on the sale of University and school lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend the law of this State, fixing the compensation of township treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Read,

The bill was ordered engrossed for a third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to provide for the right of pre-emption to settlers upon State Swamp Lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, herewith report a bill, entitled

A bill making appropriations for the salaries of the State officers for the years 1863 and 1864,

And recommend its passage.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was re-committed House bill No. 39, being

A bill for the protection of game in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. B. ELDREDGE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Eldredge,

The bill was ordered engrossed for a third reading.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, January 28, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to-wit:

An act to change the name of the Carolton Salt Manufacturing Company, to the Empire Salt Company.

AUSTIN BLAIR.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,
Lansing, January 29, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to-wit:

An act to legalize the organization of the county of Delta,

and confirm proceedings under the same, and to extend the time for the collection of taxes therein;

Also,

An act to extend the time for the collection of taxes in the township of Lapeer, in the county of Lapeer, for the year 1862;

Also,

An act to extend the time for the collection of taxes in the township of Greenfield, in the county of Wayne, for the year 1862;

Also,

Joint resolution asking the government of the United States to make a grant of land for the construction of a wagon road from Copper Harbor, running through, or to town 40 north, range 87 west, in the State of Michigan, to the city of Appleton, in the State of Wisconsin;

Also,

An act to amend section 4 of an act entitled an act to provide for the drainage and reclamation of the swamp lands in township 6 north, of range 14 and 15 west, and to aid the township of Holland in the improvement of the harbor at the mouth of North Black river, in said township;

Also,

An act to legalize certain volunteer relief orders, in the county of Clinton, in this State;

Also,

An act to extend the time for the collection of taxes in certain townships and wards, in the county of Monroe;

Also,

An act to extend the time for the collection of taxes, for the year 1862, in the township of Seneca, in the county of Lenawee.

AUSTIN BLAIR.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, February 6, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State the following, viz:

An act to change the name of the First Congregational Society of Saginaw city, to First Presbyterian Society, of the city of Saginaw;

Also,

An act to provide for the correction and collection of the city tax roll of East Saginaw, for the city taxes of 1862;

Also,

An act to prevent and punish the counterfeiting and fraudulent use of trade marks, labels, stamps, &c.;

Also,

An act to authorize union school district No. 9, of the township of Grass Lake, in the county of Jackson, to issue bonds.

AUSTIN BLAIR.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, February 13, 1863. }

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, the following, to wit:

An act to extend the time for the collection of taxes in the city of Detroit;

Also,

An act to legalize the tax roll of Huron township, in Huron county, for the year 1862, and to extend the time for the collection of the taxes of said township;

Also,

An act to extend the time for the collection of taxes in the townships of Redford and Springwells, in the county of Wayne, for the year 1862;

Also,

An act to amend section 3 of an act entitled an act to incorporate the Cass River Navigation Company, approved April 2, 1850;

Also,

An act to allow the Lafayette Benevolent Society, of the city of Detroit, to alter and amend its articles of association;

Also,

An act to legalize the tax rolls of the several townships in the county of Marquette, and the territory thereto attached, for the year one thousand eight hundred and sixty-two, and to extend the time, and authorize the collection of the same in the county of Bleeker.

AUSTIN BLAIR.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,
Lansing, February 18, 1868. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, the following, to wit:

An act for the relief of sick, disabled, and needy soldiers;

Also,

An act to amend sections 18 and 19 of an act entitled an act to define the powers and duties of the board of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers, approved April 8, 1851, said sections being sections 352 and 353 of the compiled laws;

Also,

An act to further amend the act entitled an act to provide for the construction of train railways, approved February 13th, 1855;

Also,

Joint resolution in relation to the reduction of duty on imported printing paper.

AUSTIN BLAIR.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 20, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolution:

Joint resolution to provide for a roll of honor to perpetuate the memory and noble deeds of Michigan soldiers, who have fallen in defense of our country,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 20, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend an act entitled an act to authorize a war loan, approved May 10, 1861,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 20, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to enlarge the corporate limits, and to incorporate the village of Corunna, under a special charter;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell gave notice that on some future day he would ask leave to introduce

A bill to construct a State road from Pentwater, to intersect the Newaygo and Dayton State road; also, a road from Big Rapids, to Houghton Lake; also, a road from Big Rapids, to intersect the Newaygo and Northport State road, in the county of Lake, and to appropriate swamp lands to aid in their construction;

Also,

A bill to aid the Female College, at Lansing;

Also,

A bill to aid the Mount Holyoke Female Seminary, at Kalamazoo.

Mr. H. A. Hayden gave notice that on some future day he would ask leave to introduce

A bill conferring certain land grants to aid in the construction of the Grand River Valley Railroad.

Mr. Barnes moved that the committee of the whole be dis-

charged from the further consideration of House bill No. 136, entitled

A bill to amend an act entitled an act to provide for the incorporation of villages, approved February 17, 1857;

And also, House bill No. 150, entitled

A bill to amend section 19 of an act to provide for the incorporation of villages, being section 2116 of the compiled laws;

Which motion prevailed.

On motion of Mr. Barnes,

The bills were laid on the table.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill appropriating certain swamp lands to Houghton and Keweenaw counties, for the construction of the Mineral Range State road.

Mr. Read gave notice that on some future day he would ask leave to introduce

A bill to provide for laying out and opening roads on lines between townships, or between a township and a city.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House bill No. 111, being

A bill to amend an act to amend section 26, and repeal sections 27, 28, and 29, of chapter 150, title 29, of the revised statutes of 1846, being section 5658 of the compiled laws;

Which motion prevailed.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

Mr. Barnes offered the following:

Resolved, That the committee on education be instructed to inquire into and report upon the propriety and feasibility of establishing and endowing a University for the education of young ladies;

Which was adopted.

Mr. Davis offered the following:

Resolved, That the committee on ways and means be allowed

to employ a clerk for so much time, during the present session, as they may deem necessary;

Which was adopted.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor, or counsel for his compensation, and to more accurately fix and determine the costs to be allowed to prevailing parties in suits at law in the circuit court.

Mr. Parsons gave notice that on some future day he would ask leave to introduce

A bill to lay out a State road in the township of Shiawassee, county of Shiawassee, and for an appropriation of swamp land to construct the same.

Mr. Pendill gave notice that he would on some future day ask leave to introduce

A bill to provide for the better protection of school houses, and other school district property.

Mr. Howell offered the following:

Resolved, That on Wednesday next, this House will hold an afternoon session, commencing at two o'clock, and an evening session commencing at seven o'clock;

Which was adopted.

Mr. Eldredge moved that the committee of the whole be discharged from the further consideration of House bill No. 155, being

A bill to amend an act entitled an act to incorporate the village of Mt. Clemens, approved April 4, 1851;

Which motion prevailed.

On motion of Mr. Eldredge,

The bill was placed on the order of third reading.

Mr. John Miller moved that the committee of the whole be discharged from the further consideration of House bill No. 129, being

A bill to amend an act entitled an act to revise the charter of the city of Port Huron;

Which motion prevailed.

On motion of Mr. John Miller,

The bill was placed on the order of third reading.

Mr. Pratt moved that the committee of the whole be discharged from the further consideration of House bill No. 56, entitled

A bill to amend section 23, of the revised statutes of 1846, of offences against public justice, being section 5842 of the compiled laws;

Also, House bill No. 57, entitled

A bill to amend section 3900 of the compiled laws, the same being section 248, of chapter 117, of the revised statutes of 1846, entitled of courts held by justices of the peace;

Which motion prevailed.

On motion of Mr. Pratt,

The bills were placed on the order of third reading.

Mr. Luther moved to reconsider the vote by which the House adopted the following resolution:

Resolved, That the use of this Hall be granted to the friends of the St. Paul's Sabbath School Association, on next Wednesday evening, for a musical concert, the proceeds to be applied to the use of said Sabbath School;

Which motion prevailed.

On motion of Mr. Howell,

The resolution was laid on the table.

Mr. Howell, unanimous consent being given, introduced

Joint resolution relative to the commissioned officers, and others, of the 28th regiment of Michigan infantry.

The joint resolution was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Bliss, previous notice having been given, and leave being granted, introduced

A bill to lay out and establish the Midland and Shiawassee State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Welch, previous notice having been given, and leave being granted, introduced

A bill to provide for the improvement of a certain State road, in the county of Ionia.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. E. G. Morton, unanimous consent being given, introduced

Joint resolution to authorize the Commissioner of the State Land Office to dispose of swamp and marsh lands, in the county of Monroe.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Littlejohn, previous notice having been given, and leave being granted, introduced

A bill for the relief of J. E. Harding, assignee of Amasa B. Carpenter.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Mallary, unanimous consent being given, introduced

A bill authorizing a change in the boundaries of the village of Romeo, in the county of Macomb.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Beakes, unanimous consent being given, introduced

A bill to amend sections 3622, 3623, and 3624, of chapter 116, of the compiled laws, so as to authorize the judges of the circuit courts to perform the duties of judges of probate, in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pratt, unanimous consent being given, introduced

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensation of county surveyors, and chainmen and markers.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. T. G. Smith previous notice having been given, and leave being granted, introduced

A bill to amend section 8, of chapter 141 of the compiled laws, relative to proceedings against garnishees.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

Joint resolution instructing the Auditor General to settle with the county of Houghton for certain overpaid State taxes in the year 1861 and 1862, and to correct certain errors.

The joint resolution was read a first and second time by its title, and referred to the judiciary committee.

Mr. Howell, unanimous consent being given, introduced

Joint resolution to authorize the Board of State Auditors to audit and pay to H. Miller, the amount necessarily expended by him in contesting a seat on this floor against John N. Donaldson.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. H. Hayden, unanimous consent being given, introduced

A bill to provide for the collection of taxes assessed upon property in the village of Bay city.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Henry Hayden, previous notice having been given, and leave being granted, introduced

A bill to provide for the construction of a State road from Tawas City, by the way of Houghton Lake, to Traverse City.

The bill was read a first and second time by its title, and referred to committee on public lands.

Mr. Gargett, previous notice having been given, and leave being granted, introduced

A bill entitled an act to lay out, establish and construct a

State road from Midland city, to Houghton Lake, and appropriate swamp lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. H. Hayden, unanimous consent being given, introduced A bill to amend sections 27 and 32 of an act entitled an act to incorporate the village of Bay City, approved February 9, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House joint resolution No. 11, entitled

Joint resolution authorizing the Board of State Auditors to settle the claims of the State against the bail of John McKinney, late State Treasurer,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. Parsons,
Aldrich,	Green,	Pendill,
Allen,	Grinnell,	Piper,
Barnes,	Harmon,	Porter,
Bentley,	Henry Hayden,	Rankin,
Bliss,	Haze,	Read,
Bowen,	Hemingway,	Sherman,
Burt,	Hodgkinson,	Slafter,
Clark,	Hood,	Sprague,
Combes,	Howell,	Aura Smith,
Congdon,	Jenison,	Stewart,
Cook,	Littlejohn,	Tinham,
Cowan,	Lockwood,	Welch,
Crane,	Mallary,	Weatherby,
Davis,	Mason,	Wheeler,
Deare,	McKernan,	Williams,
Dixon,	H. Miller,	Wilson,
Dow,	E. G. Morton,	Winans,
Fellows,	H. C. Morton,	Woodman,
Fifield,	Mosher,	Speaker,
Fowler,		

NAYS.

Mr. Beakes,	Mr. Griswold,	Mr. Spencer,
Orego,	J. C. Miller,	Thomas,

Dockeray,
Eldredge,
Fitch,

John Miller,
Pratt,

Toll,
Voorheis,

13

Title agreed to.

House bill No. 51, entitled

A bill to amend sections 117 and 118, chapter 90, of the revised statutes, the same being sections 3570 and 3571, chapter 115, of the compiled laws, relative to the sale of real estate under decrees in chancery,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Clark,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Deare,
Dixon,
Dockeray,
Dow,
Fellows,
Fitch,
Fowle,

Mr. Freeman,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
H. Miller,
John Miller,

Mr. E. G. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Rankin,
Read,
Slaster,
Spencer,
Sprague,
Aura Smith,
Stewart,
Tinham,
Toll,
Voorheis,
Wheeler,
Williams,
Woodman,
Speaker,

62

NAYS.

Mr Wilson,

1

Title agreed to.

Senate bill No. 39, being

A bill for the acceptance of the donation of public lands made by act of Congress, approved July 5, 1862, providing for the endowment of colleges for the benefit of agriculture and the mechanic arts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Bowen,
Burt,
Combes,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Mr. Freeman,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden.
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Mr. Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
Aura Smith,
Stewart,
Thomas,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodman,
Speaker,

71

NAYS.

0

Title agreed to.

On motion of Mr. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 12, entitled

A bill to amend the law of this State, fixing the compensation of township treasurers,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Woodman asked the unanimous consent of the House to amend the bill, by striking out the words "one-and-a-half," in recited section 53, and insert in lieu thereof, the word "two;"

Objected to by Mr. Pratt.

The bill was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dow,	Mr. McKernan,
Aldrich,	Eldredge,	H. Miller,
Allen,	Fitch,	J. C. Miller,
Barnes,	Freeman,	John Miller,
Beakes,	Green,	E. G. Morton,
Bentley,	Griswold,	Parsons,
Burt,	Harmon,	Pendill,
Combes,	H. A. Hayden,	Piper,
Congdon,	Haze,	Read,
Cook,	Hemingway,	Sprague,
Cowan,	Howard,	Tinham,
Crane,	Jenison,	Toll,
Crego,	Keeney,	Voorheis,
Davis,	Littlejohn,	Welch,
Deare,	Lockwood,	Williams,
Dockeray,	Mallory,	Speaker, 48

NAYS.

Mr. Bliss,	Mr. Hood,	Mr. Aura Smith,
Bowen,	Howell,	Stewart,
Dixon,	Luther,	Thomas,
Fellows,	Mason,	Weatherby,
Fifield,	H. C. Morton,	Wheeler,
Fowle,	Porter,	Wilson,
Grinnell,	Pratt,	Winans,
Henry Hayden,	Rankin,	Woodman, 26
Hodgkinson,	Slafter,	

House bill No. 111, entitled

A bill to amend an act to amend section 26, and repeal sections 27, 28 and 29, of chapter 150, title 29, of the revised statutes of 1846, being section 5658 of the compiled laws,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Lockwood moved to re-commit the bill to the committee on printing, with instructions to so amend the same as to repeal said section 26;

Pending which,

On motion of Mr. Howell,

The bill was laid on the table.

House bill No. 129, entitled

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gargett,	Mr. Mosher,
Aldrich,	Grinnell,	Parsons,
Allen,	Griswold,	Pendill,
Barnes,	Harmon,	Piper,
Beakes,	H. A. Hayden,	Porter,
Bentley,	Henry Hayden,	Rankin,
Bowen,	Haze,	Read,
Clark,	Hemingway,	Slafter,
Combes,	Hodgkinson,	Spencer,
Congdon,	Hood,	Sprague,
Cook,	Howard,	T. G. Smith,
Cowan,	Howell,	Aura Smith,
Crane,	Jenison,	Stewart,
Crego,	Keeney,	Tinham,
Davis,	Littlejohn,	Toll,
Deare,	Luther,	Voorheis,
Dixon,	Mallary,	Welch,
Dockeray,	Mason,	Weatherby,
Dow,	McKernan,	Wheeler,
Eldredge,	H. Miller,	Williams,
Fellows,	John Miller,	Wilson,
Fitch,	E. G. Morton,	Woodman,
Fowle,	H. C. Morton,	Speaker,
Freeman,		

70

NAYS.

0

Title agreed to.

On motion of Mr. John Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 57, entitled

A bill to amend sections 8900 of the compiled laws, the same being section 248, of chapter 117, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Bowen,
Burt,
Clark,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fewle,

Mr. Freeman,
Gargett,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Parsons,

Mr. Pendill,
Piper,
Porter,
Pratt,
Rankin,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Thomas,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodman,
Speaker,

70

NAYS.

Mr. Howard,

1

Title agreed to.

House bill No. 56, entitled

A bill to amend section 23, of the revised statutes of 1846, entitled of offences against public justice, the same being section 5842 of the compiled laws,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Hemingway,

The bill was re-committed to the committee of the whole.

House bill No. 39, entitled

A bill to provide for the protection of game in the State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Toll asked the unanimous consent of the House to strike out section 11 of the bill;

Objected to by Mr. Eldredge.

Mr. Cowan asked the unanimous consent of the House to amend the bill by adding at the end of section 8, the following: "or any cellar, sewer, or underground drain;"

Objected to by Mr. Gargett.

Mr. Thomas moved to re-commit the bill to the select committee, with instructions to amend the same by adding, at the end of section 1, the following:

"And provided further, That it shall not be lawful for any person to cut down any forest, or clear up any swamp, or other place, the natural home of the elk, wild buck, doe or fawn;"

Which motion did not prevail.

Mr. Tinham moved to lay the bill on the table;

Which motion did not prevail.

The motion to re-commit the bill, did not prevail.

Mr. Toll moved that the bill be referred to the committee of the whole, and placed on the general order;

Which motion did not prevail.

Mr. Allen moved that the bill be recommitted to the select committee, with instructions to amend the same by striking out the provision protecting the muskrat;

Which motion did not prevail.

Mr. Pratt asked the unanimous consent of House to strike out the provision protecting the muskrat;

Objected to by Mr. E. G. Morton.

Mr. Burt moved that the bill be indefinitely postponed;

Mr. Abbott demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allon,
Barnes,
Bliss,

Mr. Grinnell,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,

Mr. Sherman,
Slafter,
Spencer,
Sprague,
Aura Smith,

Bowen,
Burt,
Clark,
Cook,
Cowan,
Crane,
Crego,
Davis,
Dockeray,
Dow,
Fifield,
Fowle,

Keeney,
Luther,
Mallary,
Mason,
Henry Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Porter,
Read,

Stewart,
Thomas,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Speaker

50

NAYS.

Mr Beakes,
Bentley,
Combes,
Congdon,
Deare,
Dixon,
Eldredge,
Fellows,
Fitch,
Freeman,

Mr. Gargett,
Green,
Griswold,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Littlejohn,

Mr. Lockwood,
McKernan,
J. C. Miller,
John Miller,
Piper,
Pratt,
Rankin,
T. G. Smith,
Woodman,

29

Mr. E. G. Morton gave notice that he should move to reconsider the vote by which the bill was indefinitely postponed.

House bill No. 155, entitled

A bill to amend an act entitled an act to incorporate the village of Mt. Clemens, approved April 4th, 1851,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Beakes,
Bentley,
Bliss,
Bowen,
Burt,
Clark,
Combes,
Congdon,

Mr. Fifield,
Fitch,
Fowle,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,

Mr. J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Sprague,

Cook,
Cowan,
Crane,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,

Howard,
Howell,
Jenison,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,

Aura Smith,
Stewart,
Toll,
Voorheis,
Welch,
Weatherby,
Williams,
Wilson,
Woodman,
Speaker,

66

NAYS.

Title agreed to.

On motion of Mr. Eldredge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 28, entitled

A bill in relation to assignments, and to compel assignees to give security.

Being under consideration,

On motion of Mr. Lockwood,

The bill was laid on the table.

On motion of Mr. Howell,

The House adjourned until Monday morning, at 9 o'clock.

Lansing, Monday, February 23, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Heagle:

Roll called: quorum present.

Absent at roll call, without leave, Messrs. Beakes and Cowan.

Mr. Howard asked and obtained leave of absence for Mr. Beakes, for an indefinite time, on account of sickness.

Mr. Abbott asked and obtained leave of absence for Mr. Cowan, for one day.

PRESENTATION OF PETITIONS.

By Mr. Deare: petition of John Greusel, Henry Haggarty, and 29 others, tax-payers of the township of Springwells, in

the county of Wayne, asking the repeal of act No. 129, of session laws of 1859.

Referred to the committee on banks and incorporations.

By Mr. Hood: remonstrance of Hiram Wakely, Miles L. Smith, and 20 others, citizens of Monroe county, against any increase in the rates of legal advertising;

On motion of Mr. Parsons,

The remonstrance was laid on the table.

By Mr. Deare: petition of George Moran, A. S. Sherwood, and 86 others, tax-payers of the township of Grosse Point, in Wayne county, praying for the repeal of the act allowing the city of Detroit two supervisors from each ward, on the board of supervisors of that county;

Also, petition of Thomas Bacon and 39 others, for the same purpose;

Referred to the committee on banks and incorporations.

By Mr. Crego: remonstrance of Nathaniel Morrell and 55 others, farmers of Jackson county, against the passage of House bill No. 50, being a bill in relation to insurance;

On motion of Mr. Parsons,

The remonstrance was laid on the table.

By Mr. Gaylord: petition of M. Butman, S. M. Webster and 86 others, citizens of Saginaw county, asking for the establishment of a State road from Zilwaukee, west, to the Tittabawassee river, in Saginaw county, and an appropriation of swamp lands, to aid in the construction of the same;

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 3622, 3623 and 3624, of chapter 116, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 10, of the compiled laws of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A joint resolution authorizing the Auditor General to settle with Houghton county, for certain overpaid State taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and as a petition praying for the same object which this joint resolution will secure, was referred to the committee on ways and means, your committee recommend the reference of this joint resolution to that committee, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in, and the joint resolution referred to the committee on ways and means.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the remonstrance of Louis C. Loomis, and others, against the passage of House bill No. 50, relating to insurance companies;

Also, the remonstrance of Horatio Pratt, and 26 others, against the passage of House bill No. 50, relating to insurance companies;

Also, the remonstrance of L. D. Chapel, A. H. Godfrey, and 122 others, of Jackson county, against an act to amend an act incorporating insurance companies, being House bill No. 50;

Also, the remonstrance of H. E. Osborne, M. Longyear, and 120 others, citizens of Jackson county, against a bill to amend an act entitled an act for the incorporation of insurance companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and as this committee have no power over the bill, against the passage of which these remonstrances were presented, the same now being upon the general order, recommend that they all be laid upon the table, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The several remonstrances were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred.

A bill to amend section 8, of chapter 141, of the compiled laws, relative to proceedings against garnishees,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred the petition of citizens of Houghton and Ontonagon counties, for the laying out and establishing State roads in said counties, and to provide for the completion of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to lay out and establish the L'Anse and Toltec, and the Ontonagon and Montreal River State road, in the Upper Peninsula,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of David W. Noyes, Hiram Miller, Unn Miller, and Loren Andrus, of Macomb county, praying for the refunding of moneys unjustly paid to the State for certain lands in said county of Macomb, report the following state of facts as ascertained by the committee:

That in the year 1822, Daniel Miller settled upon the south-west quarter of section thirty-four, township four north, of range twelve east, in the county of Macomb, and that subsequently, and long before the State had any claims to said lands, Loren Andrews, one of the petitioners, purchased the possession of the said lands from the said Daniel Miller, and ever since has, and still does reside upon and occupy the same.

That in the year 1822, Joseph Miller settled upon the north-

east quarter of said section thirty-four, by permit from the general government, (as also did David Miller on the south-west quarter of the same section,) and that about the year 1835, sold his claim to said lands to David W. Noyes, another of said petitioners, who has since continued to occupy and improve the same.

That Hiram W. Miller and Urm Miller, as heirs at law of the said Joseph Miller, now deceased, are the owners and in possession of the north-west quarter of said section thirty-four.

That said section thirty-four was designated as "salt spring lands," and the title thereto vested in the general government until the year 1847, though previously set apart by act of Congress, for the benefit of the State. On the 6th of March, 1843, (see act No. 42, session laws of 1843,) the Legislature passed an act requiring the settlers on the public lands, and which included the lands in question, to file notice and proof of their occupancy, with a description of the lands occupied, with the Commissioner of the State Land Office, and providing that all settlers complying with the terms of said act, should be entitled to purchase their lands at the minimum price of one dollar and twenty-five cents per acre. In pursuance of said act, and on the 26th day of May, A. D. 1843, the petitioners filed their claims and proofs, in full compliance with the requirements of law, and so far as your committee have been able to ascertain, they have never forfeited any right to the same by any omission on their part, but in good faith have ever complied with every requirement of the law relating to their claims, even so far as to pay the sum of seventy-five dollars to the State for a license to occupy said lands, which, by a recent decision of our Supreme Court, neither the general government nor the State, as the agent or trustee, had a right to claim.

On the 19th of January, 1847, the Legislature passed a joint resolution, (resolution No. 5, session laws of 1847, p. 190,) requesting Congress to pass a law enabling the State to sell said lands, which was subsequently done—and by act of the Leg-

islature of 1848,"(p. 72, session laws of 1848,) the Commissioner of the Land Office was authorized to sell and convey said lands at four dollars per acre. This seems manifestly unjust. The value of the lands over the minimum price was added to the lands by the petitioners, and those under whom they claimed, by the labor and toil of a quarter of a century, and the endurance of all the privations and hardships incident to the settlement of an unbroken wilderness.

Belonging to that class of citizens who shrink from seeking redress in our courts, and fearing that their lands might be purchased from under them, and they driven from the pleasant homes that their own labor had made, on the 20th of February, and 6th of March, A. D. 1859, they purchased said lands, at four dollars per acre, paying therefor, the aggregate sum of one thousand nine hundred and twenty dollars, or one thousand three hundred and twenty dollars, in excess of the amount, which in justice, good faith, and equity, they should have paid.

The committee herewith return the petition and accompanying papers, marked Exhibits "A," "B" and "C," as a part of their report, and have further instructed me to report the accompanying joint resolution, entitled

Joint resolution relative to the claims of David W. Noyes, Loren Andrews, Hiram W. Miller, and Unn Miller,

And recommend its passage.

W. T. HOWELL, *Acting Chairman.*

The following are the petition and papers accompanying the report, and marked Exhibits "A," "B" and "C:"

EXHIBIT "A."

To the Honorable the Senate and House of Representatives of the State of Michigan:

The undersigned, David W. Noyes and Loren Andrus, for ourselves, and Hiram W. Miller and Unn Miller, heirs-at-law of Joseph Miller, late of the county of Macomb, (deceased,) and all residents of the town of Washington, county of Macomb, and State of Michigan, would respectfully represent that we were, long previous to the act of March 6, 1848, in quiet and peacea-

ble possession of the portions of section 34, in township 4 north, of range twelve east, being the township of Washington aforesaid, to wit: the north-east, north-west, and south-west quarters of said section thirty-four. That in pursuance of said act of March 6, 1843, of the Legislature of the State of Michigan, the said parties did comply with the provisions of said act, by filing a notice of their said occupancy, and the testimony of disinterested persons, with the proper officer; that in conformity with the provisions of said act, they were entitled to the purchase of said lands at the minimum price of \$1 25 per acre; but that thereafter, to-wit: on the 20th February and the 6th March, 1849, they purchased said lands, and were obliged to pay for the same at the rate of four dollars per acre, and contrary to the provisions of the act of 6th March, aforesaid. We, therefore, your petitioners, would represent that we are entitled to receive back from the State the sum of \$1,320, and the interest thereon, from the 20th February and 6th March, 1849.

And also that your petitioners did, about the year 1840, pay to the State the sum of \$75, for a lease to occupy said lands, when in fact the State had no legal right to lease the same, or to receive pay therefor. We would therefore ask that a law may be passed by your honorable body, authorizing the Auditor General, or State Board, to settle our claims, according to the law and equity of the case.

In support of the justice of our said claim, we respectfully refer to the papers on file in the Land Office, copies of which are herewith submitted.

D. W. NOYES,
H. W. MILLER,
UNN MILLER,
LOREN ANDRUS.

Washington, Mich., February 10th, 1863.

EXHIBIT "B."

To the Commissioner of the State Land Office, at Marshall:

According to the act approved March 6, 1843, it is made necessary for those persons occupying lands that are and may become lands of the State, hereafter, to make application to the Land Office, within one year from the passage of the said act; therefore, I, Loren Andrus, of the town of Washington, county of Macomb, State of Michigan, depose and say that I am in peaceable possession of the south-west quarter of section thirty-four, township four north, of range twelve east, and that I purchased the possession of said quarter of the original possessors, and have settled upon and improved the same, with a view of purchasing the said quarter section of the United States, by pre-emption.

LOREN ANDRUS.

Washington, May 26, 1843.

I, Daniel Miller, of the county of Macomb, State of Michigan, being duly sworn, depose and say that I settled upon the south-west quarter of section thirty-four, township four north, range twelve east, in the year 1822. I furthermore depose and say that I got a permit from the government officers, who had charge of government lands, and that I settled upon and improved said quarter section, with a view of purchasing the same, by pre-emption, from the United States; and that I depose and say that I have disposed of all my right and title to said lands; and that I furthermore depose and say that the above named Loren Andrus has purchased the said quarter section, and is in peaceable possession of the same, and furthermore saith not.

DANIEL MILLER.

Sworn and subscribed this 26th day of May, 1843, before me.

CALVIN DAVIS,

Justice of the Peace.

I, Smith Davis, of the county of Macomb, and State of Michigan, being duly sworn, depose and say that I have resided in

the county of Macomb and State of Michigan, for eighteen years last past, and am knowing that the said Daniel Miller, mentioned in the above deposition, was the original settler on the said quarter of land described in said deposition, and that he disposed of the same some years since; and I furthermore depose and say that Loren Andrus has lived on and has improved the said land, and now is in peaceable possession of the same.

SMITH DAVIS.

Sworn and subscribed before me this 26th day of May, A. D. 1843.

CALVIN DAVIS,

Justice of the Peace, M. C., M.

—
STATE LAND OFFICE,
Lansing, Mich., January 19, A. D. 1855. }

I hereby certify that the foregoing are true copies of the originals on file in this office, and there was paid for the same, February 20th, 1849, the sum of six hundred and forty dollars.

Witness my hand and the seal of said office, the day and year above mentioned.

SEYMOUR B. TREADWELL, *Commissioner.*

—
EXHIBIT "C."

To the Commissioner of the Land Office of the State of Michigan, at Marshall:

According to the act of the Legislature of the State of Michigan, approved March 6, 1845, it is made necessary for those persons in possession of lands that are, or may hereafter become the property of the State, to make application to the Land Office, within one year from the passage of said act. This, therefore, with the accompanying affidavits, is to present you with my claims to the north-east quarter of section 34, in town 4 north, of range 12 east.

DAVID W. NOYES.

Washington, Macomb Co., Mich., May 26, 1843.

Agreeably to the act, as above alluded to, viz: (an act to or-

ganize a Land Office, and to regulate the sale of the public lands,) I herewith transfer to your office my claims, with accompanying affidavits, to the north-west quarter of section 34, town 4 north, of range 12 east.

JOSEPH MILLER.

— BELL, Commissioner of Land Office, S. M.

Washington, May 29, 1848.

STATE OF MICHIGAN, } ss.
County of Macomb, }

Personally appeared before me, Alexander I. D. Thurston, a Notary Public in and for the county and State aforesaid, Daniel Thurston, of the township of Washington, county of Macomb, State of Michigan, who saith that he is well acquainted with David W. Noyes, of the town, county, and State aforesaid, and that said David W. Noyes has been in possession of the following described premises, ever since the year 1835, to-wit: north-east quarter of section 34, township 4 north, of range 12 east, containing one hundred and sixty acres, be the same more or less, and still remains in the quiet and peaceable possession of the same, and that said David W. Noyes has made large improvements thereon.

DANIEL THURSTON.

Sworn and subscribed to before me, this 26th day of May, A. D. 1848.

A. I. D. THURSTON,

Notary Public, M. C., S. M.

I, Wm. A. Burt, after being duly sworn, depose and say that I am personally acquainted with Joseph and Daniel Miller, and that Joseph Miller, in the year 1822, was settled, and made improvements on the north-west quarter of section 34, township 4 north, range 12 east, in the State of Michigan; and that Daniel Miller, on or about the same time, settled and made improvements on the south-west quarter of the same section, according to the best of my recollection.

WM. A. BURT.

Sworn and subscribed this 18th day of May, 1848, before me

W. B. BURRAS,

Notary Public, St. Clair, St. Clair Co., Mich.

STATE OF MICHIGAN, }
County of Macomb, } ss.

Personally appeared before me, Alexander I. D. Thurston, a notary public in and for the county of Macomb, State of Michigan, Daniel Thurston and Luther Bennett, who certify that Joseph Miller, of the town of Washington, county and State aforesaid, had possession of a certain piece or parcel of land, lying and being in said State, and described as follows: north-west quarter of section thirty-four, township four north, of range twelve east, containing one hundred and sixty acres, be the same more or less; that Miller had possession of said land in the year one thousand eight hundred and twenty-six, and still has possession of the above described premises, and has made improvements thereon, and has been in possession of said premises ever since the year 1826, and that we have been personally acquainted with said Miller since the year 1826, and that we have, at sundry times, heard him say that he intended to purchase said land whenever it should come into market, to which assertions we gave full credit, and still believe the same to be his intention.

DANIEL THURSTON.

LUTHER BENNETT.

Sworn and subscribed to before me, this 24th day of May, A. D. 1843.

A. I. D. THURSTON,

Notary Public, M. C., S. M.

STATE OF MICHIGAN, }
County of Oakland, } ss.

I, Solomon Wales, after being duly sworn, depose and say, that I am personally acquainted with Joseph Miller, and that Joseph Miller, in the year 1822, settled and made improvements on the north-west quarter of section thirty-four, township four north, of range twelve east, State of Michigan, and that on the spring following, set out on said quarter section an orchard of apple trees, and since that time has had peaceable possession

on the land, as I verily believe, and I have been personally acquainted with him since that time.

SOLOMON WALES.

Sworn and subscribed the 27th May, 1843, before me.

ORANGE FOOT,

Justice of the Peace.

STATE OF MICHIGAN, }
County of Macomb, } ss.

Personally came before me, Orrel Dudley, a justice of the peace, in and for said County, Mr. Caleb Wilbur, of said County, who deposeth and saith, that he is acquainted with David W. Noyes, of the county and State aforesaid, and that the said David W. Noyes has been in possession on the north-east quarter of section number thirty-four, town four north, range twelve east, and has been in peaceable possession ever since A. D. 1835, and that the said David W. Noyes has made large improvements on said land; said land is situate in the town of Washington, county and State aforesaid.

CALEB WILBUR.

Sworn and subscribed to before me this 26th of May, A.D. 1843.

ORREL DUDLEY,

Justice of the Peace.

STATE OF MICHIGAN, }
County of Macomb, } ss.

Personally came before me, Orrel Dudley, a justice of the peace in and for said county, Mr. John Keeler, of said county, who being duly sworn, deposeth and saith that he is acquainted with David W. Noyes, of said county and State, and that the said David W. Noyes, has been in possession on the following described piece of land ever since the year of A. D. 1835, to wit: the north-east quarter of section thirty-four, town four north, of range twelve east, and that the said David W. Noyes is still in possession of said land, and has made large improvements thereon, and that the said David W. Noyes has expressed his intention of claiming said land by right of pre-emption.

JOHN KEELER.

Sworn and subscribed to before me, the 26th day of May, A. D. 1843.

ORREL DUDLEY,

Justice of the Peace.

STATE OF MICHIGAN, }
County of Macomb, } ss.

Personally came before me, Orrel Dudley, a justice of the peace in and for said county, Mr. Luther Bennet, of said county and State, who being sworn, deposeth and saith that he is acquainted with David W. Noyes, of Washington, county and State aforesaid, and that the said David W. Noyes has been in possession on the north-east quarter of section No. thirty-four, in town No. four north, of range No. twelve east, and has been in peaceable possession on said lands, ever since the year A. D. 1835, and that the said David W. Noyes has made large improvements on said lands, and that the said David W. Noyes has expressed to him his intentions of purchasing said lands under the pre-emption act, should he have the privilege.

LUTHER BENNET.

Sworn and subscribed to before me, the 26th day of May, A. D. 1843.

ORREL DUDLEY,

Justice of the Peace

STATE LAND OFFICE, }
Lansing, Mich., January 19, 1855. }

I hereby certify that the foregoing are true copies of the originals on file in this Office, and there was paid by David W. Noyes and Daniel Miller severally, for said lands, February 20, 1849, the sum of six hundred and forty dollars each. Witness my hand and the seal of said office, the day and year above mentioned.

SEYMOUR B. TREADWELL, *Commissioner.*

Report accepted and committee discharged.

On motion of Mr. Mallary,

The report was ordered printed.

The joint resolution was read a first and second time by its

title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the joint committee of the House and Senate, on the Asylum for the Insane:

The committees of the Senate and House of Representatives, on the Asylum for the Insane, who were authorized to act as a joint committee, and to visit the Asylum, preparatory to making their report, have performed that duty, and would respectfully present, for the consideration of their respective branches of the Legislature, the following report:

Your committee visited the Asylum on the 29th and 30th ultimo, and examined and inquired into the condition and workings of the Institution, as thoroughly as the brief space of time which they felt at liberty to devote to that object, would allow. The facts connected with the workings of the Institution, are detailed in the Reports of the Trustees, and of the several officers of the Asylum, which reports the committee would recommend to the careful attention and consideration of the Legislature. But your committee would do injustice to themselves, and to the subject, if they failed to express their entire satisfaction with the management, and the evident success of the enterprise, during the short period it has been in operation—a success which your committee deem to be largely owing to the efficient and careful attention of the able and accomplished Superintendent. For the last two years, while it has afforded the State a safe and quiet retreat for that most unfortunate class of its inhabitants, and has relieved, or mitigated their miseries, and carried blessings to the hearts of their afflicted friends, it has, at the same time, been really self-sustaining, so far as current expenses are concerned. The deficit in this respect, for the two years commencing December 1st, 1860, is the sum of \$469 68. At the commencement of that period, there was a deficit of \$1,731 17, which, together with that for the last two years, amounts to \$2,200 85. And your committee recommend an appropriation of \$2,200 00, to meet those deficits.

The arrangements for warming and ventilating the apart-

ments of the building, and for cooking and laundry purposes, are very complete and admirably adapted to the peculiar wants of such an Institution, as well as economical in their operation.

An air of neatness and order, of quiet and comfort, so necessary to the successful treatment of mental disease, pervades the entire establishment, giving promise of happy and beneficent results.

Only one of the wings of the building designed for the occupation of inmates, is at present erected. The wards of this wing, when devoted entirely to the occupation of patients, is designed to accommodate about one hundred and forty, but some portions of it, at the present time, are necessarily devoted to the domestic and business purposes of the Institution, leaving ample accommodations for only about one hundred and twenty at the present time; yet, at the time of the visit of your committee, there were under treatment one hundred and seventy-one patients, sixty-six males and one hundred and five females. But notwithstanding this crowded condition of the Institution, nothing has occurred to mar the success of its operations. No benevolent enterprise, in which our State has engaged; appeals with greater force to the philanthropy of the people, or presents stronger claims to the fostering care of the State, than that of providing for the care, maintenance and recovery of the insane.

Other objects of misfortune demand our attention and support, but none more urgently than the insane. Delay in providing for the wants of the latter, is likely to be attended with much more serious consequences than in ordinary cases. A fair proportion of cases of insanity, not of long standing, may, by timely care and treatment, be cured, when a few months, or perhaps weeks delay, would render them incurable. Besides, in some cases, the safety of individuals or the security of property, requires that a safe and secure retreat should be provided for them.

Of the amounts heretofore appropriated for building purposes, about \$42,000 remains unexpended. It is estimated by the

officers of the Asylum, that an additional sum of \$58,000, making a total of \$100,000, would be nearly, or quite sufficient, to complete the north wing of the building. It would evidently be poor economy to expend half, or nearly half enough, to complete the work, and then, allowing it to stand for years, before deriving any benefit from the outlay. Many of the current expenses of the Institution, such as fuel and apparatus for warming and ventilating the rooms, the engines and machinery used for these and other purposes, the salaries of officers, the wages of the engineers, &c., are expenses common to the whole establishment, and would be but slightly increased, comparatively, if the building were completed, and the number of patients increased to the full capacity of the Institution, when completed. Your committee are not insensible to the fact that the State is, at present, laboring under heavy burdens, imposed upon us by the war, but from the foregoing considerations, they are forced to the conclusion that an enlightened economy, as well as an enlarged philanthropy, demands the completion of the buildings at the earliest practicable moment. They have therefore instructed their chairman to recommend that the necessary appropriation be made, and also to report to the Senate a bill to provide for the appropriations herein recommended, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

S. H. BLACKMAN,
THOMAS F. MOORE,
Senate Committee.

H. P. COMBES,
F. H. RANKIN,
J. B. COBB,
A. J. KEENEY,
W. F. JENISON,
House Committee.

Report accepted.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate joint resolution, entitled

Joint resolution to provide for a roll of honor, to perpetuate the memory and noble deeds of Michigan soldiers who have fallen in defense of our country,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the joint resolution when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Crego,

The House concurred in the amendment made by the committee.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on State Prison:

The committee on State Prison, to whom was referred the petition of D. J. Holden, Albert A. Dorrance, and 28 others, keepers, officers, &c., of the State Prison, asking for an increase of their salaries,

Respectfully report that they have had the same under consideration, and are of the opinion that the prayer of the petitioners should be granted, for the following reasons: Their salaries under the present law have been exceedingly low, the highest, (that of the agent,) being only \$1,000, and the minor officers in proportion; much less than is paid for similar services in neighboring States of no greater population than that of Michigan. The sudden and unexpected depreciation in the relative value of the circulating medium of the country, in which these salaries are paid, has, as a matter of fact, reduced these salaries at least 35 per cent., and rendered them an utterly inadequate compensation for the services rendered.

It should be remembered too, that the duties and labors of the officers of the State Prison know no cessation—that Sabbaths and holidays bring no respite from their burdens. They require men not only of strong and well balanced minds, but of great physical power and endurance.

Your committee have therefore prepared and report the following bill, entitled

A bill to amend an act entitled an act to amend sections 19 and 22, of chapter 172, of the revised statutes of 1846,

Which increases the salaries about twenty per cent., and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

A. D. GRISWOLD, *Chairman*.

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of Lucius Beach, and 60 others, together with

A bill to organize the tognship of Keosau, in the county of St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman*.

Report accepted and committee discharged.

The petition was laid on the table.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the boundaries of the village of Romeo, in the county Macomb,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order. ♣

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to attach certain lands of the township of Erin, in the county of Macomb, to the township of Grosse Point, in the county of Wayne, and to alter the boundary line between the said counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred a petition of Nathan Whitney, and 35 other citizens of the township of Casinovia, Muskegon county, relative to the passage of a law authorizing the electors of said township, to vote a tax for the support of schools,

Respectfully report that they have had the same under consideration, and have directed me to report herewith a bill, entitled

A bill to authorize the legal voters of the township of

Casinovia, in Muskegon county, to vote and raise moneys by tax for school purposes,

And recommend its passage, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred sundry petitions and remonstrances relative to repeal of act No. 194, of the session laws of 1861, entitled an act to enlarge union school district No. 2, of Pontiac, in the county of Oakland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The petitions were laid on the table.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the use and expenditure of school money in certain school districts having a surplus of money arising from the two mill tax,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education have instructed me to report herewith a bill, entitled

A bill to provide for the establishment and instruction of teachers' classes in Union and higher schools, •

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to provide for the collection of taxes assessed upon property in the village of Bay City,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 42, entitled

A bill to amend an act entitled an act to authorize a war loan, approved May 10, 1861,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, herewith report a joint resolution, entitled

Joint resolution relative to procuring a flag for the capitol,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Davis,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cook,
Crane,
Crego,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Thomas,

Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fitfield,
Fitch,
Fowle,
Freeman,
Gargett,

Littlejohn,
Lockwood,
Luther,
Mallary,
McKernan,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Speaker,

78

NAYS.

Mr. Mason,

1

Title agreed to.

On motion of Mr. Voorheis,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means, to whom was referred the petition of M. Montgomery, Charles Palmer, and 40 others, citizens of Oakland county, asking the establishment by law of a just system of taxation, based on material property,

Respectfully report that they have had the same under consideration, and directed me to report that to comply with the prayer of the petitioners, would require such a change in the present laws upon that subject, as could not well be properly matured during the short time this session will continue. And in the language of the late Auditor General, your committee would "recommend that no general changes be made in the tax law, unless it be by a commissioner appointed by one Legislature, to report to the next Legislature, the commissioner himself being familiar with its workings and objects." Stability in revenue laws, even with defects, is greatly to be preferred to frequent changes and multiplied amendments, often effected without sufficiently mature deliberation.

We therefore recommend that the prayer of the petitioners be not granted, but that this House consider the propriety of

appointing a commission, consisting of men well acquainted with the present law, and its practical workings, to examine carefully, and report at the next session of the Legislature, such amendments as they may deem necessary to remedy any serious defects, and make such changes as may seem to be demanded by the public, for the better equalization of the burdens of taxation.

All which is respectfully submitted.

O. DAVIS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

On motion of Mr. Crego,

The recommendations of the committee were concurred in.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred

Joint resolution to authorize the purchase of Lambert's Field Tourniquetts for the use of the Michigan soldiers in the service of the United States,

Would respectfully report in regard to the subject committed to them, that they have examined the matter with that degree of attention which its importance demands, and that there is no doubt in their minds, as to the utility and efficiency of the instrument, and the necessity that exists for the ready means at hand on the battle field for arresting the flow of blood in case of wounds. The loss of blood is so natural a consequence of uncontrolled bleeding from a large vessel, that surgeons have, in all ages, looked with anxiety to an efficient means of restraining hemorrhage, and the reflection that three-fourths of those who die in battle perish from the loss of blood, is a circumstance no ways calculated to diminish this anxiety. The sad experiences of war give importance to all methods of saving life on the battle field, whether immediately endangered by hemorrhage, or indirectly by shock and exhaustion. Indeed, no subject has taxed the ingenuity of surgeons more than this—namely, to discover the best and most certain modes of arresting the flow of blood in time to save life when large num-

bers lie bleeding on the field, and where the aid of army surgeons cannot of course, be rendered. Hundreds, says Prof. S. D. Gross, die on the field of battle from this cause. They allow their life current to run out without an attempt to stop it, by compressing the main artery of their injured limb. They perish simply from their ignorance, because the regimental surgeon has failed to give the proper instruction." The question naturally presented itself to your committee, in connection with this subject, what are the regulations in regard to such appliances, in the armies of different countries? Besides the few field tourniquetts in the hands of medical officers in each regiment, every soldier in the Russian, Prussian and Austrian service, is furnished with a pad, strap, and buckle, with directions to apply it firmly on the limb between the wound and the heart in case of a wound attended with hemorrhage.

In the United States, the old regulations having proved totally inadequate for the sufficient supply of tourniquetts to the different regiments, it is proposed to amend the same, in order to increase a larger supply. In the meantime, your committee find the Surgeon-General has ordered this instrument to be furnished in numbers according to the army regulations, to the exclusion of all other instruments of a like nature, leaving it to the States to supply their different troops. The only question, then, remaining in the minds of your committee, was as to the number proper to be furnished to every regiment. Your committee are of the opinion that said resolution should be amended as follows: by striking out the words "two hundred," and inserting the words "one hundred," in their place, that amount being, in the opinion of your committee, a sufficient number for the present requirements of the service. The cost of the instrument to the State is eighty-five cents, which includes the donation of the inventor's interest to the State. The committee have directed me to report the same back to the House, with the accompanying amendment, and recommend

that it do pass, and ask to be discharged from the further consideration of the subject.

B. M. WILLIAMS, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The House concurred in the amendment made by the committee.

On motion of Mr. Howell,

The rules were suspended, and the joint resolution put upon its immediate passage.

The joint resolution was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Woodman asked and obtained the unanimous consent of the House to amend the joint resolution by inserting after the word "cavalry," the words "and a proportionate number to each battery."

Mr. Griswold asked and obtained the unanimous consent of the House to amend the joint resolution by inserting after the word "battery," the words "at a price not exceeding 25 cents each."

Mr. Pratt moved to lay the joint resolution on the table;

Which motion did not prevail.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cook,
Crego,
Davis,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,

Mr. Pendill,
Piper,
Rankin,
Raymond,
Read,
Sherman,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Stewart,
Thomas,
Toll,
Voorheis,

Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fowle,
Freeman,
Gargett,

Lockwood,
Luther,
Mallary,
Mason,
McKernan,
J. C. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,

Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Speaker,

71

NAYS.

Mr. Pratt,

Mr. Aura Smith,

2

Title agreed to.

On motion of Mr. Woodman,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wheeler moved to take from the table Senate bill No. 29, entitled

A bill to amend act No. 179, of the laws of 1861, entitled an act to amend an act entitled an act to provide against the recovery of damages done by beasts, on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of compiled laws;

Which motion prevailed.

On motion of Mr. Wheeler,

The bill was committed to the committee on agriculture and manufactures.

Mr. Harmon gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 2, 3 and 4, of an act entitled an act to protect the liberties of the inhabitants of this State, approved February 13th, 1855;

Also,

A bill to amend act No. 189, of the session laws of 1859.

Mr. J. C. Miller offered the following:

Resolved, That the use of this Hall be granted to the St. Paul's Sabbath School Association, on next Thursday evening, for a

musical concert, the proceeds to be applied to the use of said Sabbath School;

Which was adopted.

Mr. Howell moved that the committee of the whole be discharged from the further consideration of House bill No. 115, being

A bill to forfeit certain land grants conditionally made to certain railroad companies, by the State of Michigan;

Which motion prevailed.

On motion of Mr. Howell,

The bill was re-committed to the select committee on matters pertaining to the Upper Peninsula.

Mr. Mason gave notice that on some future day he would ask leave to introduce

A bill to require cashiers of banks to cancel counterfeit bank bills.

Mr. Mosher gave notice that on some future day he would ask leave to introduce

A bill to provide for the appraisal and settlement of damages for flowing lands.

Mr. Luther gave notice that on some future day he would ask leave to introduce

A bill providing for a re-survey of the Grand Rapids and Muskegon State road, and ask an appropriation of swamp lands, for the improvement of the same.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to make a grant from the swamp land fund, in aid of the Michigan Female Seminary, located at Kalamazoo, on certain conditions.

Mr. Burt gave notice that on some future day he would ask leave to introduce

A bill to authorize the Commissioner of the State Land Office to receive Auditor General's warrants, for State land, where one-fourth has already been paid in cash.

Mr. Voorheis gave notice that on some future day he would ask leave to introduce

A bill to amend the law of this State, fixing the compensation of township treasurers.

Mr. Slafter gave notice that on some future day he would ask leave to introduce

A bill to re-survey and change the location of a portion of the Bay and Sanilac State road, and to divide the same, and to enlarge the duties of State road commissioners.

Mr. T. G. Smith offered the following:

Resolved, That the committee on militia be, and they are hereby instructed to consider the propriety of making provision for the education, at the various institutions of learning in this State, without charge for board or tuition, of those soldiers from this State, who have, in the service of their county, lost, or shall hereafter lose an arm or leg, or been otherwise crippled in such service, in order that they may be enabled to earn a livelihood by teaching, or in such other employment as a proper education would fit them for; and in case such committee should deem such a provision for this honorable and unfortunate class of our people advisable, that they report a bill to that effect;

Which was adopted.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to enable the qualified electors of this State in the military service, to vote at certain elections, and to amend the election laws;

Also,

A bill to amend chapter sixty-five, of the revised statutes of 1846, being chapter 88 of the compiled laws, entitled of alienation by deed, and the proof and recording of conveyances, and of the canceling of mortgages.

Mr. Deare gave notice that on some future day he would ask leave to introduce

A bill to authorize the State Board of Agriculture to issue bonds;

Also,

A bill to provide for the distribution of the State bounty to counties and townships, wherever drafting is ordered;

Also,

A bill to amend section 86, of chapter 78 of the compiled laws, the same being section 2329 thereof.

Mr. McKernan gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, of chapter 42, title 15, of the compiled laws.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill to repeal and amend the few sections and chapters of the compiled laws, that have not been repealed or amended, the present winter.

Mr. Gargett moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill changing the name of the village of Fred, in the county of Montcalm, to that of Stanton;

Which motion prevailed.

On motion of Mr. Burt,

The bill was placed on the order of third reading.

Mr. Raymond offered the following:

Resolved, That no person shall hereafter occupy the floor of this Hall longer than 15 minutes, at any one time;

On motion of Mr. Hemingway,

The resolution was laid on the table.

Mr. Parsons, previous notice having been given, and leave being granted, introduced

A bill to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor, or for his compensation, and to more accurately fix and determine the costs to be allowed to the prevailing parties in suits at law, in the circuit court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to authorize the townships of Hamtramck, Grosse Point, Springwells and Greenfield, in the county of Wayne, to raise money, for bounty purposes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Jenison, previous notice having been given, and leave being granted, introduced

A bill to provide for the improvement of the Detroit and Grand river road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Pratt, previous notice having been given, and leave being granted, introduced

A bill to amend section 6, of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offences upon information.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Howell, previous notice having been given, and leave being granted, introduced

A bill to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Pratt, previous notice having been given, and leave being granted, introduced

A bill to repeal act No 125, of the session laws of 1861, in relation to the competency of witnesses, and examination of parties, in certain causes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Winsor, previous notice having been given, and leave being granted, introduced

A bill to authorize the Governor to appoint a commissioner for the north part of a State road running southerly from Port Austin, in Huron county, to the Lexington and Flint river State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to provide for the floating of logs and timber in the streams of this State, approved March 16, 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of supervisors of the county of Saginaw to raise money, by taxation, for the re-payment of bounties to volunteers.

The bill was read a first and second time by its title, and,

On motion of Mr. Gaylord,

The bill was laid on the table.

Mr. Pendill, previous notice having been given, and leave being granted, introduced

A bill to provide for the better protection of school houses, and other school district property.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, unanimous consent being given, introduced

A bill to provide for the construction of that part of the Saginaw City and Owosso State road between Saginaw City and St. Charles.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Fifield, unanimous consent being given, introduced

A bill to repeal act No. 194, of the session laws of 1861, entitled an act to enlarge Union school district No. 2, of Pontiac, in the county of Oakland.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend section 50, of chapter 134 of the compiled laws, of the action of ejectment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, previous notice having been given, and leave being granted, introduced

A bill to amend sections 74, 105, 126 and 160, of chapter 17 of the compiled laws, entitled of the assessment and collection of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Howell moved to reconsider the vote by which the House refused to pass House bill No. 12, entitled

A bill to amend the law of this State fixing the compensation of township treasurers;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was laid on the table.

Mr. E. G. Morton moved to reconsider the vote by which the House indefinitely postponed House bill No. 39, entitled

A bill to provide for the protection of game, in the State of Michigan;

Which motion prevailed.

On motion of Mr. E. G. Morton,

The bill was recommitted to the select committee heretofore appointed to consider said bill.

Mr. Winsor gave notice that on some future day he would ask leave to introduce

A bill to open the mouth of the River du Fil, in Huron county, and to grant an appropriation of State swamp lands for that purpose.

Mr. Haze offered the following:

Resolved, (the Senate concurring,) That the Superintendent of Public Instruction be requested to prepare plans and specifications for school houses, adapted to the wants of the school districts of this State, and publish the same in his next annual report, or in the next published edition of the school laws;

Laid on the table for one day, under the rule.

Mr. Keeney gave notice that on some future day he would ask leave to introduce

A bill to regulate fisheries in the county of Monroe.

Mr. Gargett gave notice that on some future day he would ask leave to introduce

A bill to divide the St. Johns, Bay City and Port Huron State road into two sections, and a commissioner be appointed for each section.

Mr. Deare offered the following:

Resolved, That during the remainder of the first fifty days of this session, the rule requiring previous notice of bills and joint resolutions, be suspended: *Provided, however*, That members introducing bills and joint resolutions shall first read the titles of bills and joint resolutions introduced by them;

Which was adopted.

Mr. Hemingway gave notice that on some future day he would ask leave to introduce

A bill to authorize the Governor to appoint a commissioner on the west end of the Lexington and Flint River State road.

Mr. Hemingway moved that the committee of the whole be discharged from the farther consideration of House bill No. 90, being

A bill to discontinue a portion of the State road running through the township of Ronald, in the county of Ionia;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill, entitled

A bill chauging the name of the township of Fred, in the county of Montcalm, to that of Stanton.

Was read a third time and passed, a majority of all the member elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Griswold,	Mr. Piper,
Aldrich,	Harmon,	Porter,
Allen,	H. A. Hayden,	Rankin,
Barnes,	Henry Hayden,	Raymond,
Bentley,	Haze,	Read,
Burt,	Hemingway,	Slafter,
Clark,	Hodgkinson,	Spencer,
Combes,	Hood,	Sprague,
Congdon,	Howard,	T. G. Smith,
Cook,	Howell,	Aura Smith,
Crane,	Jenison	Stewart,
Davis,	Keeney,	Thomas,
Dixon,	Littlejohn,	Tinham,
Dockeray,	Lockwood,	Toll,
Dow,	Luther,	Voorheis,
Fellows,	Mallary,	Welch,
Fifield,	McKernan,	Weatherby,
Fitch,	H. Miller,	Williams,
Fowle,	John Miller,	Wilson,
Freeman,	E. G. Morton,	Winans,
Gargett,	H. C. Morton,	Winsor,
Gaylord,	Parsons,	Woodman,
Green,	Pendill,	Speaker.
Grinnell,		

70

NAYS.

Mr. Mason, Mr J. C. Miller,

2

Title agreed to.

House bill, entitled

A bill authorizing a change in the boundaries of the village of Romeo, in the county of Macomb,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,

Mr. Parsons,
Piper,
Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Thomas,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Speaker,

72

NAYS.

0

Title agreed to.

On motion of Mr. Mallary,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 90, entitled

A bill to discontinue a portion of the State road running through the township of Ronald, in the county of Ionia,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Bliss,
Buell,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,

Mr. Mosher,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Read,

Burt,
Clark,
Combès,
Congdon,
Cook,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dow,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Luther,
Mallary,
Mason,
McKernan,
Henry Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,

Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Thomas,
Tinharn,
Toll,
Welch,
Weatherby,
Williams,
Wilson,
Winans,
Winsor,
Woodman,
Speaker,

72

NAYS.

Mr. Howard,

1

Title agreed to.

On motion of Mr. Burt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

UNFINISHED BUSINESS,

Being the consideration of Senate bill No. 11, entitled

A bill to amend an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859, and an act amendatory thereto, approved January 17, 1862.

Mr. Green moved to amend the bill by striking out the following words from the end of section two: "except in the county of Wayne, where it shall not exceed two thousand five hundred dollars;"

Which motion did not prevail.

Mr. Green moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

The House also had under consideration on this order, House bill No. 59, entitled

A bill to authorize the Mount Clemens and Romeo plank road company to discontinue a portion of their road, and for other purposes.

On motion of Mr. Eldredge,

The House concurred in the amendments made to the bill by the committee of the whole, and the bill was placed on the order of third reading.

GENERAL ORDER.

On motion of Mr. Read,

The House went into committee of the whole on the general order,

Mr. Griswold in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to provide for the payment of unliquidated swamp land road contracts;

Have adopted a substitute therefor, in which they have made some progress, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

A. D. GRISWOLD, *Chairman.*

Report accepted, and leave granted the committee to sit again.

On motion of Mr. Dow,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Tuesday, February 24, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Burgess.

Roll called : quorum present.

Absent at roll call, without leave, Messrs. Luther, Porter and G. A. Smith.

Mr. Gargett asked and obtained leave of absence for Mr. Luther, for an indefinite time, on account of sickness.

Mr. Welch asked and obtained leave of absence for Mr. Porter, for an indefinite time, on account of sickness.

Mr. Mosher asked and obtained leave of absence for Mr. G. A. Smith, for the day.

PRESENTATION OF PETITIONS.

By Mr. Clark: petition of L. J. Ford, and 64 others, resident tax-payers of the township of Van Buren, in the county of Wayne, asking the repeal of act No. 129, of the session laws of 1859, allowing the wards of the city of Detroit, two supervisors for each ward on the board of supervisors of said county;

Referred to the committee on banks and incorporations.

By Mr. Slafter: petition of Amzy Clay, C. C. Stoddard, and 15 others, asking for a re-survey and division of the Bay and Sanilac State road, and for the appointment of a commissioner on the same;

Referred to the committee on public lands.

By Mr. E. G. Morton: memorial of the Executive Board of the Agricultural Society, for an appropriation for 1863 and 1864;

Referred to the committee on ways and means.

By Mr. Howell: memorial of the trustees of the Michigan Female College, tendering the same to the State, and asking its endowment;

On motion of Mr. Howell,

The memorial was referred to the committee on education, and ordered printed in the journal.

The following is the memorial:

To the Honorable the Senate and House of Representatives of the State of Michigan:

Your memorialists beg leave to represent to your Honorable body, that the friends of education have long regretted that nothing was done to extend to young women the privileges of

higher education, which this State bestows upon young men in the University of Michigan, and the State Agricultural College, and they respectfully ask your Honorable body to request the Congress of the U. S. to place under the trusteeship of the several States, such a portion of the public lands, as shall in your wisdom be judged needful to endow an institution for the higher education of young women, in each of the States.

Your memorialists beg leave further to represent to your Honorable body, that the Michigan Female College, located at Lansing, was incorporated with full collegiate powers, in May, 1859. That its course of study is fully equal in the amount of intellectual labor and discipline which it requires, to that of the departments of science and arts in the University of Michigan. That in lands, buildings, school furniture and fixtures, apparatus, and musical instruments, and reliable subscriptions they hold in trust, property to the amount of about \$35,000. That the ultimate endowment of two professorships is secured in the sum of \$10,000, for each. That your memorialists fully and freely offer to the State, through your Honorable body, this trust, for the benefit of female education, and pray you to accept the same.

Or, if in your wisdom, you judge that the time has not yet come for the State to assume this trust, then your memorialists pray your Honorable body to set aside from the interest of the swamp land fund \$10,000, for the purpose of completing the buildings of the said Michigan Female College, and do hereby pledge themselves to raise an equal sum and complete these buildings, which will accommodate 150 young ladies with dormitories within the building, and an equal number of day pupils. And your memorialists will hold the whole in trust, and place it in the hands of Regents appointed for that purpose, when and how the State shall ordain.

Trusting that "the set time has come" when something will be done to discharge this great duty, so long acknowledged and so long neglected by the State, and that your Honorable body may be moved to accept one or the other of the above

propositions, your memorialists, as in duty bound, will ever pray, &c.

JOHN W. LONGYEAR, *Pres't.*

JOHN OWEN,

EBER B. WARD,

O. M. BARNES,

A. C. ROGERS.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the remonstrance of A. R. Calkins and Wavard Willson, B. Ager, and 46 others, citizens of Allegan county, against being attached to the fifth judicial district;

Also, the memorial of E. D. Granger, Levi M. Comstock, Timothy Bliss, and 135 others, citizens of Allegan county, remonstrating against said county being attached to the fifth judicial circuit;

Also, the memorial of John Q. Burdist, Joel Battlebery, A. J. Murphy, and 52 other citizens of Allegan county, remonstrating against said county being attached to the fifth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report that there is already a bill before the House in reference to said county being attached to said circuit, and that the said remonstrance and memorials be laid upon the table, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The petitions were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 337 of the compiled laws, the same being section 3, of chapter 10 thereof,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of R. W. Morris, and 21 others, citizens of Muskegan county, asking an amendment to the act, entitled

An act to authorize the formation of companies to construct canals and harbors, and to improve the same;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davis,

The petitions were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Charles England, A. D. Chapman, and nineteen others, inhabitants of Waterford, Oakland county, asking for the passage of a law to prevent the flowing of lands on the margin of Clinton river, below the mills, in said township;

Respectfully report that they have have the same under consideration, and have directed me to report the same back to the House, and recommend that, as the laws now existing are sufficient and ample to afford the remedy asked for in said petition, said petitioners go to the courts for their relief, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Buckley.

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A joint resolution to provide for amending the Constitution of the State of Michigan, by striking out section 47, of article 4, also section 15, of article 18, and also all of section 10, of article 10, after the word "counties," in the fifth line of said section,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to provide for the floating of logs and timber in the streams of this State, approved March 16, 1861,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A joint resolution providing for an amendment to section 18,

article 6, of the Constitution, relative to the jurisdiction of justices of the peace, in civil cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 6, of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offences upon information,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Mosher,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred the petition of Jeremiah McMann, for a change of name,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House; that the Legislature of 1861 passed a general law which places the power to change names in the judges of pro-

bate of the several counties, being act No. 26, of the session laws of 1861; and as this general law covers the case of the petitioner, beyond question, recommend that the petition do lie upon the table, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Orego,

The petition was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to provide for the assessment and collection of certain taxes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 1027 and 1039, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal all existing laws, rules and provisions of law, restricting or controlling the right of a party to agree with an attorney, solicitor or counselor, for his compensation, and to more accurately fix and determine the costs to be allowed to prevailing parties, in suits at law, in the circuit court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal act No. 125, of the session laws of 1861, in relation to the competency of witnesses, and examination of parties in certain causes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mosher,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution to authorize the Commissioner of the State Land Office to dispose of swamp and marsh lands, in the county of Monroe,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to reduce the price of school lands in the townships of Heath and Clyde, in the county of Allegan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill relative to fisheries and fishing in the waters of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Joint resolution authorizing the Board of State Auditors to adjust and settle the claims of Clark & Holmes, for interest, which may be their due on moneys unpaid, for work done by them on the St. Mary's Falls Ship Canal, in the years 1859 and 1860,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the same do not pass, and ask to be discharged from the further consideration of the subject.

O. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. E. G. Morton,

The joint resolution was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Joint resolution relative to the claim of Alexander Titchworth,

Respectfully report that they have had the same under consideration, and have directed me to report that, upon examination, they find that the claim of Alexander Titchworth, for work and materials furnished upon the Central railroad, while said road belonged to the State, has received due and ample consideration, at the hands of former Legislatures, and former Boards of State Auditors; that its resurrection at the present time, would bring in its train a brood of similar, doubtful claims, as numerous as the plagues of Egypt, and would serve to bring into disrepute, that time-honored statute of limitations, which was intended to retain in a state of undisturbed repose, claims of seventeen years standing. Viewing the subject in this light, your committee are constrained to report the joint resolution back to the House, recommending that the same do not

pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Allen,

The joint resolution was laid on the table.

By the committee on ways and means:

The committee on ways and means, herewith report a bill, entitled

A bill for the enlargement of the State Library;

Also,

A bill to provide for the insurance of the State Library;

Also,

Joint resolutions authorizing the Governor to appoint commissioners for certain purposes therein named,

And recommend that the same pass.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The bills and joint resolution were read a first and second time by their titles, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Reform School:

The committee on the Reform School, to whom was referred a memorial of Woodhouse & Butler, praying to be released from a certain judgment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the following joint resolution, entitled

Joint resolution for the relief of Woodhouse & Butler,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ISAAC C. ABBOTT, *Chairman*.

Report accepted and committee discharged.

The memorial was laid on the table.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole,

and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill for the better protection of school houses and other school district property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Weatherby,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to repeal act No. 194, of the session laws of 1861, entitled an act to enlarge Union School District No. 2, of Pontiac, in the county of Oakland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures to whom was referred Senate bill No. 29, being

A bill to amend act No. 179, of the laws of 1861, entitled an act to amend an act entitled an act to provide against the re-

covery of damages done by beasts, on lands not enclosed by a lawful fence, approved March 17th, 1847, being section 628 of compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agriculture and manufactures:

The committee on agriculture and manufactures, to whom was referred a resolution instructing said committee to inquire into the expediency of giving encouragement to the production of sugar and syrup from the sorghum,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, entitled

A bill to encourage the manufacture of sugar, from sorghum, in the State of Michigan,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

RICHARD J. CREGO, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred the petition of T. W. Bacon and 58 others, praying for the division of East and West China;

Also, the remonstrance of Nelson Decatur and 83 others, against the same,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the several petitions back to the House, and recommend that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The petition and remonstrance were laid on the table.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend sections 27 and 32, of an act entitled an act to incorporate the village of Bay City, approved February 9th, 1859,

Respectfully report that, they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. F. MALLORY, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred that portion of the Governor's message relating to the swamp lands, beg leave to report that in the year 1850, the general government granted to the State of Michigan, all the swamp and overflowed lands remaining unsold at the passage of the act, amounting in all to 5,890,361.49 acres, with this provision, viz: that the proceeds of said lands, whether by sale or by direct appropriation in kind, should be applied exclusively, as far as necessary, to the purpose of reclaiming said lands, by means of levees, drains, &c., aforesaid. These were the only conditions of the grant. The State accepted the grant upon these conditions, and said lands thereupon became the property of the

State, and when sold or appropriated in any manner, would be subject to all the provisions of the act granting the same. But inasmuch as the general government has left the matter to the State to decide what drainage may be necessary, the practice of the State has been to grant or sell such lands subject to the provisions of the act granting the same to the State. And as the State does not say how much draining is required, the purchaser does not drain the lands unless he chooses to do so.

In accepting this valuable grant, therefore, by some strange oversight or omission on the part of Congress, the main object or design of the grant might be avoided. Yet the good faith of the State is pledged to a compliance in the condition of the grant, so far as may be necessary to accomplish the object in view, viz: the draining and reclamation of the lands.

The Legislature of 1859 passed an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches; and also passed an act granting forty acres of land to each actual settler on such lands, who should cultivate and drain the same.

The Legislature of 1861 amended the act by granting eighty acres to each actual settler, and also passed an act granting four hundred thousand acres for roads, and two hundred thousand acres for drainage, besides some other smaller appropriations for other purposes, unauthorized by the act granting the same, and contrary to the most liberal construction of the law.

The first act for the disposition of those lands, approved June 28th, 1851, pledged the faith of the State to the General Government, and also to all purchasers of such swamp lands, that the condition of the grant from the United States, and the condition of the sale of such lands to purchasers, should be faithfully complied with, as appears by section 2d, of said act, viz: "The minimum price of said lands shall be seventy-five cents per acre, and shall not be sold for less. All the money received from the sale of such lands shall be and remain a fund for reclaiming said lands, in conformity to the provisions of said grant."

Under the provisions of that act, 142,933.09 acres of said lands have been sold for the sum of \$113 212 49, at an average of seventy-nine cents per acre, or four cents per acre over the minimum price.

The second act, approved February 14, 1857, section 2, provides that said lands be offered at public sale, but shall not be sold at a less price than five dollars per acre, which shall be the minimum price therefor. Of the proceeds of the sales under this act, twenty-five per centum shall be reserved and set apart as a drainage fund, for the purpose of aiding the counties in which such lands sold may lie, the interest of which, at the rate of seven per cent. shall be in pursuance of law, appropriated to drain such lands as are situated, and which, in the opinion of the supervisors, as are capable of drainage, and the balance of such proceeds, after deducting the necessary and lawful expenses of such sales, shall be appropriated, and constitute a part of the primary school fund.

The third act, approved February 4th, 1858, fixes the minimum price at one dollar and twenty-five cents per acre, and authorizes the Commissioner to sell at public auction all the swamp lands then remaining unsold, for which the State had received patents.

Section 5 of said act appropriates all moneys heretofore and hereafter received from the sales of said swamp lands, after deducting the expenses of sales; fifty per cent. shall be denominated a primary school fund, and the interest thereof at five per centum per annum, shall be appropriated and distributed in like manner as the primary school fund of this State, and fifty per cent. shall be denominated a swamp land fund, and the interest thereof at five per centum shall be paid over annually to the order of the board of supervisors of the several counties in proportion in which the same is received from sales in said counties respectively, to be used in draining and reclaiming said swamp lands in said county, and all moneys received on such sales as aforesaid, shall be used and applied to

the payment of the outstanding indebtedness of the State, in which the same shall fall due.

This act also provides that actual settlers might purchase said lands by paying one-quarter down, and the balance at any time within ten years.

Under the law of 1857, the Commissioner declined to advertise the lands, not deeming it for the interest of the State; consequently but little land was sold. The receipts for the year amounted to only \$6,525 36, and the sales only \$2,232 88, and the whole number of acres sold up to this time, amounted to only 146,980.16.

Your committee have given much time and thought to the subject of swamp lands, and they are unanimous in their opinion that the policy of 1859 authorizing the construction of roads, and the homestead act, granting to settlers eighty acres of land to each actual settler on such lands, is the only practicable mode of complying with the conditions of the grant; and until these lands are drained and reclaimed, no portion of the money arising from the sales, ought to be used for any other purpose. This policy has now become the settled policy of the State, and your committee would recommend no change, believing it to be the best, under existing circumstances. Your committee herewith present a statement, showing the amount of swamp land sold, licensed and reserved, from January 1, 1861, to January 1, 1863, and amount unsold, January 1, 1863. Also, a statement of swamp land road and ditch accounts, up to November 30, 1862.

All of which is respectfully submitted.

J. B. WILSON, *Chairman.*

The following are the papers accompanying the report:

STATEMENT showing the amounts of swamp land sold, licensed and reserved, from January 1st, 1861, to January 1st, 1863, and amount unsold January 1st, 1863, in each county.

COUNTIES.	Acres sold.	Acres licensed.	Acres reserved on road & ditch con tracts, and for other purposes.	Acres unsold Jan. 1, 1863.
Alcona,.....	220.70	498.39	519.17	120,357.97
Allegan,.....	884.09	2,580.76	1,987.70	11,529.46
Alpena,.....	1,296.00	.....	520.00	244,830.13
Antrim,.....	.....	.....	.....	38,980.50
Bay,.....	4,866.78	560.00	8,790.05	87,845.15
Barry,.....	136.50	.....	.....	483.28
Berrien,.....	.....	.....	.....	105.29
Branch,.....	.....	.....	.....	None.
Calhoun,.....	.....	.....	.....	547.70
Cass,.....	.....	.....	.....	567.52
Cheboygan,.....	254.66	901.80	.....	174,318.81
Chippewa,.....	.....	.....	1,439.75	529,666.21
Clare,.....	1,225.37	.....	840.00	88,703.27
Clinton,.....	125.51	240.00	.....	5,614.41
Crawford,.....	.....	.....	.....	41,311.65
Delta,.....	775.04	.....	440.00	493,505.25
Eaton,.....	120.00	160.00	.....	4,273.87
Emmet,.....	.....	.....	.....	105,808.28
Genesee,.....	160.00	.....	.....	160.00
Gladwin,.....	2,360.00	.....	13,164.77	82,656.21
Grand Traverse,.....	.....	.....	.....	29,264.95
Gratiot,.....	1,800.00	6,188.98	823.50	28,331.45
Hillsdale,.....	.....	.....	.....	None.
Houghton,.....	726.45	.....	1,239.43	85,570.07
Huron,.....	3,090.37	9,190.32	13,865.52	128,394.26
Ingham,.....	.....	.....	.....	2,633.03
Ionia,.....	197.10	528.41	153.90	1,910.98
Iosco,.....	79.62	410.78	1,479.62	66,152.50
Isabella,.....	799.54	600.00	1,729.88	46,246.49
Jackson,.....	.....	.....	.....	None.
Kalamazoo,.....	80.00	.....	.....	85.37
Kalkaska,.....	.....	.....	.....	44,634.15
Kent,.....	168.36	769.78	2,508.53	291.70
Lake,.....	.....	.....	.....	23,266.69
Lapeer,.....	885.27	1,764.56	600.00	4,652.87
Leleena w,.....	.....	.....	.....	33,421.20
Lenawee,.....	.....	.....	.....	None.

STATEMENT—CONTINUED.

COUNTIES.	Acres sold.	Acres licensed.	Acres reserved on road & ditch con-tracts, and for other purposes.	Acres unsold Jan-1st, 1863.
Livingston,.....				602.43
Mackinac,.....	14.25	507.97		351,094.93
Macomb,.....				None.
Manistee,.....				47,633.60
Manitou,.....	40.00			2,842.75
Marquette,.....	49.88		6,460.24	454,520.57
Mason,.....				42,497.16
Mecosta,.....	920.00	3,686.01	2,636.37	42,669.04
Midland,.....	956.00	120.00	2,092.33	29,918.72
Missaukee,.....				104,244.08
Monroe,.....				4,561.85
Montcalm,.....	1,595.13	4,293.95	2,601.01	14,134.69
Montmorenci,.....			680.00	101,630.23
Muskegon,.....	248.78		21,938.43	23,121.64
Newaygo,.....	1,315.71	1,109.83	4,818.38	64,111.65
Oakland,.....				249.46
Oceana,.....				44,045.87
Ogemaw,.....	480.00		4,614.84	58,335.60
Ontonagon,.....				108,677.66
Osceola,.....	732.00		760.00	40,412.15
Oscoda,.....				22,924.75
Otsego,.....				39,287.70
Ottawa,.....	160.00	642.49	6,605.71	6,964.03
Presque Isle,.....	261.81		1,243.00	215,353.90
Roscommon,.....			1,163.34	99,112.03
Saginaw,.....	7,382.83	5,769.73	14,272.11	18,384.00
Sanilac,.....	5,228.02	6,785.85	1,760.00	72,218.00
Schoolcraft,.....	39.42			569,600.89
Shiawassee,.....	109.51	400.00		3,538.86
St. Clair,.....	200.00	3,022.75		8,110.97
St. Joseph,.....				40.00
Tuscola,.....	4,782.34	9,042.50	1,081.84	72,664.43
Van Buren,.....		254.97		1,056.13
Washtenaw,.....				None.
Wayne,.....				None.
Wexford,.....				27,339.91

Statement of amounts due the several Swamp Land Roads, November 30, 1862.

Balance of apportionments.....	\$11,730 16	
Ionia, Houghton Lake and Mackinac,..		\$95 71
Newaygo and Northport,.....		7,640 76
Port Huron, and Bay City and Lansing,		1,648 87
East Saginaw and Sauble,.....		426 70
Lexington and Flint River,.....		3 12
Ontonagon and State Line,.....		747 11
St. Mary's River and Mackinac, over-		
drawn,	56 00	
Marquette and Bay De Noc,.....		125 00
L'Anse Bay and State Line,.....		404 14
Allegan, Muskegon and Traverse Bay,		93 00
State ditches,.....		601 75
	<u>\$11,786 16</u>	<u>\$11 786 16</u>

Statement of apportionments to Swamp Land Roads, November 30, 1862.

Total amount of apportionment,.....	\$83,385 92	
Ionia, Houghton Lake and Mackinac,..		\$8,135 52
Newaygo and Northport,.....		14 302 07
Port Huron, Bay City and Lansing,...		21,399 11
East Saginaw and Sauble,.....		6,031 67
Lexington and Flint River,.....		3,234 63
Ontonagon and State Line,.....		4,668 80
St. Mary's River and Mackinac,.....		2,738 27
Marquette and Bay De Noc,.....		5,625 50
L'Anse Bay and State Line,.....		4,048 60
Allegan, Muskegon and Traverse Bay,		9,701 75
State ditches,.....		8,500 00
	<u>\$83,385 92</u>	<u>\$83,385 92</u>

Statement of Lands paid the several Swamp Land Roads, November 30, 1862.

Total amount paid,.....		\$46,846 81
Ionia, Houghton Lake and Mackinac,..	\$1,300 00	
Port Huron, Bay City and Lansing....	17,766 82	
East Saginaw and Sauble,.....	15,410 15	
Lexington and Flint River,.....	7,899 94	
Allegan, Muskegon and Traverse Bay,	694 40	
State ditches,.....	3,775 00	
	<u>\$46 846 81.</u>	<u>\$46 846 81</u>

Lands paid on Contracts as cash, under Act 107, Laws of 1861.

Port Huron, Bay City and Lansing,...	\$7,422 55	
East Saginaw and Sauble,.....	2,536 02	
	<u>\$9,958 57</u>	

Classes of Contracts on which Land has been paid.

On cash contracts,.....	\$9,958 57	
On cash and land contracts,.....	12,483 17	
On land contracts,.....	24,404 57	
	<u>\$46,846 81</u>	

East Saginaw and Sable State Road.

Full paid in cash and land,.....	1	1.	\$ 480 00	\$ 480 00	\$ 480 00	\$ 480 00
Part paid " (act 107) \$2342 89.....	4	13.	3977 64	.....	.....	9842 98
" p't cash & full land, (act 107) \$193 13.	3	7.	859 39	2747 50	2732 50	2732 50
" no " ".....	3	3.	.....	1317 50	1317 50	1317 50
Untouched,.....	9	25.160	.....	.....	.....	20874 00
" ".....	4	3.80	.....	.....	1026 87	661 87
Part paid,.....	1	Bridges.	194 99	.....	.....	6375 00
	25	52.240	\$5512 02	\$4545 00	\$5556 87	\$41783 85

Newaygo and Northport State Road.

Full paid,.....	8	49 192	\$4507 00	.....	.....	\$ 4507 00
Untouched,.....	5	59 102	.....	.....	.....	10517 00
	13	108.294	\$4507 00	.....	.....	\$15024 00

Lewington and Flint River State Road.

Full paid, cash and land,.....	9	8.160	\$1100 00	\$4100 00	\$4100 00	\$1100 00
Part paid, full cash, no land,.....	1	1	200 00	.....	700 00	200 00
" part " ".....	1	1	100 00	.....	600 00	200 00
Untouched,....	1	1	.....	.....	725 00	75 00
	12	11.160	\$1400 00	\$4100 00	\$6125 00	\$1575 00

Allegan, Muskegon and Traverse Bay State Road.

	Con- tracts	Miles & Rods.	Paid in Money.	Paid in Lands.	Contracted in Lands.	Contracted in Money.
Full paid in cash,.....	4	6	\$3300 00	.....	.....	\$3300 00
" " and land,.....	1	1.120	500 00	\$287 50	\$287 50	500 00
Part paid, part cash, no land,.....	1	2.280	515 39	.....	437 50	1000 00
	6	10.80	\$4315 39	\$287 50	\$725 00	\$4800 00

Marquette and Bay de Noc State Road.

Part paid,.....	1	50	\$6200 00	\$38750 00
-----------------	---	----	-----------	-------	-------	------------

L'Anse Bay and State Line State Road.

Untouched at minimum,.....	1	36	\$6048 00
----------------------------	---	----	-------	-------	-------	-----------

Recapitulation.

Full paid,.....	54	104.79	\$30041 05	\$7288 08	\$7288 08	\$30041 05
Part paid,.....	41	120.310	21377 95	5209 09	9461 59	75469 32
Untouched,.....	52	186.17	.....	.....	2418 75	78836 94
	147	411.242	\$51419 00	\$12483 17	\$19163 42	\$184347 31

Recapitulation.

Ionis, Houghton Lake and Mackinaw,.....	14	12.239	\$ 5640 00	\$1300 00	\$2700 00	\$ 5640 00
Newaygo and Northport,.....	13	108.294	4507 00	.....	.....	15024 00
Port Huron, Bay City and Lansing,.....	75	129.189	23844 59	2250 67	4056 55	75726 46
East Saginaw and Sauble,.....	25	52.240	5512 02	4545 00	5556 87	41788 85
Lexington and Flint River,.....	12	11.160	1400 00	4100 00	6125 00	1575 00
Marquette and Bay de Noc,.....	1	50.	6200 00	.....	.....	83750 00
L'Anse Bay and State Line,.....	1	36.	.....	.....	.....	6048 00
Allegan, Muskegon and Traverse Bay,.....	6	10.	4315 39	287 50	720 00	4800 00
	147	411.242	\$514.9 00	\$12483 17	\$19163 42	\$184347 31

Report accepted.

On motion of Mr. Davis,

The report was ordered printed.

The Speaker called Mr. Howell to the chair.

By the committee on Asylum for Deaf, Dumb and Blind:

The committee on the Asylum for the Deaf, Dumb and Blind, to whom was referred so much of the Governor's message as relates to that Institution, have had the same under consideration, and having, with a like committee of the Senate, visited the Asylum at Flint, in compliance with a resolution of the Legislature, have instructed their chairman to make the following report:

Michigan has been the pioneer in some useful improvements in the means of education, and where, from the comparative newness of the State, she cannot lead the way, is not content to be far behind; and accordingly, is contesting for supremacy, the claims of older States.

Our Constitution declares that "institutions for those persons who are deaf, dumb, blind or insane, shall always be fostered and supported," and the Governor's message enjoins the same duty upon the Legislature.

The main question, then, submitted to your committee, is what appropriations shall be recommended for the Asylum for the deaf, dumb and blind?

To determine this, they have carefully considered the claims these pupils, the deaf, dumb and blind, have upon us for support and education, and the means required for that purpose. Assuming that the public sentiment requires the property of the State to educate its children, it is presumed there is no question as to the propriety and importance of educating this unfortunate class, and because they are to some extent objects of charity, our obligation is still greater. Schools for all our other children have been richly endowed; the school for these has not; and hence their stronger claim to our watchfulness and liberality. Those whose senses are normal, are better able to acquire education, without help; to these such acquisition is

impossible. Ignorance is said to be the parent of vice, and uneducated persons of this class are justly regarded as dangerous and troublesome members of society, on account of their greater ignorance.

The conclusion is, that the claims of humanity, as well as the interests of the public, demand that this unfortunate but interesting class of persons should be educated, mentally, morally and physically, and that they should also be taught some trade, or handicraft, by which they may hereafter support themselves.

By the attentive politeness of the officers of the Institution, your committee were afforded opportunities to see every part of the building, and to examine into the condition of the pupils.

They were highly pleased with the beautiful, substantial and imposing appearance of the building, and the adaptation prospectively, of the interior arrangement to the ends to be attained.

The school wing, which is now the rear of the building, was built in 1854, and is the only part that is yet finished. It is well adapted for school rooms, but is inconvenient for other purposes for which it is used. The sitting-room for about forty pupils, is eighteen feet square. There is no convenient room for chapel exercises, and there are no rooms for isolating the sick in case of contagious diseases. There are no rooms for work-shops for the boys.

The other parts of the building, no part of which is finished, are well built with excellent brick, and covered with slate.

They consist of a central building—the basement used for a kitchen, first story for a dining-room, and the second for a dormitory—an east and west wing, and a front building.

Your committee were no less gratified than surprised, at the improvement made by these pupils. In no other class of children does the effect of systematic mental training seem so apparent as in these deaf mutes, which is not strange, when we consider that, when they enter the Institution, they have no language.

In the lowest class, the mind seems a blank, and the whole physiognomy dull—often stupid. But they watch their teacher for some arbitrary sign of a thing, the name of which they have learned, and when they catch the idea, a gleam of intelligence, like the twilight, seems to faintly brighten the countenance. In the next class, who have been longer under tuition, the eye begins to brighten, and the head to assume better proportions, and the whole visible manifestation of intelligence to improve, and so on, through the several gradations, to the highest class, that has been longest in the Institution, who will compare favorably with classes of the same age, in other schools.

The blind pupils, also, two of whom lost their sight in the military service, seem to be making a satisfactory improvement. They learn to find and read any given chapter in books prepared expressly for the blind, and are superior in arithmetical calculations. They learn geography, and write letters; but their favorite study and occupation is music.

They study under great disadvantage, for want of another piano, globe and maps. But the greatest necessity seems to be opportunities to work and to learn some trade, and this they cannot have until some more of the building is completed.

The trustees estimate that for the next two years they

will need for current expenses,.....	\$24,000 00
Completing central building,.....	10,000 00
“ two wings,.....	25,000 00
Doubling heating apparatus, building cisterns, furni- ture, &c.,.....	10,000 00
Amounting in all to.....	<u><u>\$69,000 00</u></u>

From the foregoing considerations your committee recommend, with much confidence of success, an appropriation of \$10,000 a year for the next two years, for the support of the Asylum, and \$20,000 a year for two years to complete the centre and wings of the building. Believing that the building may be completed at less expense if done by contract, we so recom-

mend, and a bill embracing the above objects is presented with the Senate report.

All of which is respectfully submitted, and your committee ask to be discharged from the further consideration of the subject.

EDWIN STEWART, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

- The Speaker *pro tem.* announced the following :

SENATE CHAMBER,
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to amend act number one hundred and thirty, session laws of eighteen hundred and fifty-nine, approved February 12th, being an act entitled an act to provide for the improvement of Bridgeport and Forestville State road;

2. A bill to authorize the common council of the city of Lansing to levy taxes for city purposes, for the year 1862, and to extend the time for the collection of taxes in said city;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives :

SIR:—I am instructed by the Senate to return to the House the following entitled bills:

1. A bill to amend section 88 of an act entitled an act to revise the charter of the city of Ypsilanti, approved February 16, 1863;

2. A bill to authorize school district No. 4, of the township of Decatur, in the county of Van Buren, to issue bonds;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to authorize the president and trustees of the village of Romeo, in the county of Macomb, to organize under the general law for incorporation of villages,

And to inform the House that the Senate has amended the same by striking out the word "next," in line 3, section 2, and inserting "1862," in lieu thereof; also, by striking out the word "owned," in line 7, section 3, and inserting the word "held," in lieu thereof;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Abbott moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gaylord,	Mr. Piper,	
Aldrich,	Green,	Rankin,	
Allen,	Grinnell,	Raymond,	
Barnes,	Griswold,	Read,	
Bentley,	Harmon,	Slafter,	
Betts,	Henry Hayden,	Spencer,	
Buckley,	Hemingway,	Sprague,	
Buell,	Hodgkinson,	T. G. Smith,	
Clark,	Hood,	Aura Smith,	
Cobb,	Howard,	Stewart,	
Combes,	Howell,	Sweezy,	
Congdon,	Jenison,	Thomas,	
Crane,	Keeney,	Tinham,	
Davis,	Littlejohn,	Toll,	
Deare,	Lockwood,	Voorheis,	
Dixon,	Mallery,	Weatherby,	
Dockeray,	Mason,	Wheeler,	
Dow,	McKernan,	White,	
Eldredge,	H. Miller,	Williams,	
Fellows,	E. G. Morton,	Wilson,	
Fifield,	H. C. Morton,	Winans,	
Fowle,	Mosher,	Woodman,	
Freeman,	Pendill,	Speaker,	
Gargett,			70

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER.
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following entitled bills:

1. A bill to repeal act No. 112, of the session laws of 1859, being an act to incorporate the village of Paw Paw;
2. A bill to authorize the circuit judge to change the times of holding courts in the second judicial circuit;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The second named bill was read a first and second time by its title, and,

On motion of Mr. Read,

The bill was placed on the order of third reading.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to amend an act entitled an act to amend section 1014, of compiled laws, in relation to the duties of commissioners of highways, approved February 14, 1859;

2. A bill appropriating certain non-resident highway taxes, for the improvement of a road in Van Buren county;

3. A bill to amend an act entitled an act to incorporate the village of Hudson, approved February 12, 1853;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first and second named bills were read a first and second time by their titles, and referred to the committee on roads and bridges.

The third named bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Speaker *pro tem.* also announced the following:

SENATE CHAMBER,
Lansing, February 23, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to re-return to the House the following entitled bill:

A bill to provide for the election and classification of Regents of the University,

Which the Senate amended by striking out the proviso at the end of section 2, and in which amendment the House refused to concur; and to inform the House that the Senate insists upon said amendment.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

Mr. Lockwood moved that a committee of conference, to consist of three members, be appointed on the part of the House, to confer with a like committee on the part of the Senate, upon the disagreement of the two Houses on the amendment made to the bill by the Senate;

Which motion prevailed.

The Speaker resumed the chair.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. H. Miller moved to take from the table House bill No. 12, entitled

A bill to amend the law of this State, fixing the compensation of township treasurers;

Which motion prevailed.

Mr. Howell moved that the bill be indefinitely postponed;

Which motion did not prevail.

On motion of Mr. H. Miller,

The bill was referred to a select committee of five.

Mr. Rankin offered the following:

Resolved, That the committee on military affairs be requested to inquire whether there are any means of ascertaining the names of citizens of this State who have fallen in the defense of our country in the naval service of the United States, during the present war, in order that the same may be included in the proposed "Roll of Honor of the State of Michigan;"

Which was adopted.

Mr. Lockwood moved to take from the table the memorial of Messrs. Stuck & Adams;

Which motion prevailed.

On motion of Mr. Lockwood,

The memorial was ordered printed in the journal.

The following is the memorial:

To the Honorable Senate and House of Representatives of the State of Michigan:

The undersigned, contractors on the Port Huron, Bay City and Lansing State Road, respectfully ask leave to submit the following statement, for the consideration of your Honorable body:

In October, 1859, the Commissioner on the Port Huron, Bay City and Lansing State road, proceeded to let the contract on said road, under the act entitled An act to provide for the reclamation of swamp lands, by means of State roads and ditches, and awarded to the undersigned that portion of the road lying between Port Huron and Vassar, a distance of sixty-eight miles. The conditions of the contracts required the contractors to perform no more labor than each yearly apportionment to that part of the road would pay for.—The contracts were subsequently presented to the Governor for his approval, who laid them before the State Board of Control. This honorable body refused to accept the contracts unless the conditions contained therein should be changed, compelling the contractors to finish all the work awarded to them by the first day of January, A. D. 1861, and represented to the undersigned, through the Governor, as an inducement for them to accept the

last named conditions, that under section 3 of the above recited act, it was their duty, whenever, in their judgment, the public interests required it, to direct, from time to time, what work should be commenced, suspended or discontinued, and that it was their determination, as well as their duty to the public, to apportion the money to such roads as, in their opinion, were of the greatest public utility, and would contribute most to the sale and settlement of the State lands, and that the aforesaid road, in this respect, would have the preference of all others, and would therefore receive all, or nearly all, the money accruing from the sale of swamp lands, which would be sufficient to pay for all work as soon, or nearly as soon, as completed; and as a further inducement, it was represented that there was \$25,000 then in the treasury unapportioned, in addition to the \$50,000 already apportioned to the several roads, which, with the estimated receipts of the ensuing year, would enable them to liquidate all the cash contracts that were to be let.

Under the aforesaid representations, the undersigned entered into contracts to construct, and did construct, 32 miles of good turnpike road, mostly through an unbroken wilderness, including bridges, culverts, side drains, &c., at a price averaging \$740 per mile, all of which was accepted by the commissioners and approved by the Governor, and for which they now hold unpaid contracts amounting to \$15,600.

The undersigned would further represent to your Honorable body, that of the money apportioned in July, 1860, amounting to \$25,000, but \$2,500 was applied on the above mentioned contracts, and that \$20,000 was apportioned to the different roads before mentioned, on many of which there were no cash contracts let, or intended to be let. The causes that led to the aforesaid disposition of the money, we leave your Honorable body to infer, and therefore they ask that your Honorable body will make such provision as in your wisdom you may deem just and equitable.

CHARLES STUCK,
O. A. ADAMS.

Mr. E. G. Morton offered the following:

Resolved, by the House of Representatives, (the Senate concurring,) That the Board of State Auditors be and they are hereby instructed, to enlarge the Hall of the House of Representatives, before the assembling of another session of the Legislature, by extending the same so as to embrace the entrance Hall to the Capitol, and by making the entrance Hall through the present Supreme Court room, and otherwise to improve the Hall, so as to promote the health and comfort of members, by such changes in the manner of heating the same, as may be found necessary;

Laid on the table for one day, under the rules.

Mr. Howell offered the following:

Resolved, That it be referred to the committee on military affairs, to inquire into and to ascertain the names of all who have endeavored to escape from a draft in the service of the United States, and that a black list be prepared on which to enroll their names.

Mr. Howell moved to lay the resolution on the table;

Which motion did not prevail.

Mr. Woodman moved to amend the resolution by striking out the words "military affairs," and inserting in lieu thereof the words "federal relations;"

Which motion prevailed.

The resolution, as amended, was then adopted.

Mr. Jenison gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road from Dallas Station, on the Detroit and Milwaukee Railroad, in Clinton county, through Dallas, Westphalia and Eagle, to the Detroit and Grand River road, and an appropriation of swamp lands for the construction of the same.

Mr. Sherman gave notice that on some future day he would ask leave to introduce

A bill making appropriations in aid of the Michigan School of Homeopathy and Surgery, and of the Agricultural College.

Mr. Stewart moved to discharge the committee of the whole from the further consideration of House joint resolution No. 7, entitled

Joint resolution to authorize the Commissioner of the State Land Office to issue a patent for certain swamp lands, to Cynthia Joslin;

Which motion prevailed.

On motion of Mr. Welch, .

The joint resolution was put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fellows,	Mr. H. C. Morton,
Aldrich,	Fifield,	Mosher,
Allen,	Fitch,	Parsons,
Barnes,	Freeman,	Pendill,
Bentley,	Gargett,	Piper,
Betts,	Gaylord,	Pratt,
Bliss,	Green,	Raymond,
Bowen,	Grinnell,	Slafter,
Buckley,	Griswold,	Spencer,
Buell,	Henry Hayden,	Sprague,
Burt,	Haze,	T. G. Smith,
Clark,	Hemingway,	Stewart,
Cobb,	Hodgkinson,	Sweezy,
Combes,	Hood,	Thomas,
Congdon,	Howard,	Tinham,
Cook,	Howell,	Voorheis,
Cowan,	Keeney,	Welch,
Crane,	Littlejohn,	Weatherby,
Crego,	Mallery,	Wheeler,
Davis,	McKernan,	White,
Denman,	H. Miller,	Wilson,
Dixon,	J. C. Miller,	Winans,
Dockeray,	John Miller,	Winsor,
Dow,	E. G. Morton,	Speaker,
Eldredge,		

73

NAYS.

Mr. Deare, Mr. Jenison,

2

Title and preamble agreed to.

On motion of Mr. Welch,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

Mr. John Miller moved that the committee of the whole be discharged from the further consideration of House bill No. 173, being

A bill to organize the township of Keosau, in the county of St. Clair;

Which motion prevailed.

On motion of Mr. John Miller,

The bill was placed on the order of third reading.

Mr. Dixon, unanimous consent being given, introduced

A bill to organize the county of Antrim.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Luther, previous notice having been given, and leave being granted, introduced

A bill providing for a re-survey of a portion of the Grand Rapids and Muskegon State road, and appropriation of swamp lands for the improvement thereof.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Burt previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the State Treasurer to receive certain certificates or warrants in payment for State swamp lands, and upon contracts for the sale of such lands.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to enable the qualified electors of this State in the military service, to vote at certain elections, and to amend the election laws.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to amend chapter 65, of the revised statutes of 1846, being chapter 88 of the compiled laws, entitled of alienation by deed, and the proof and recording of conveyances, and of the canceling of mortgages.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hemingway, previous notice having been given, and leave being granted, introduced

A bill to divide the Lexington and Flint River State road into two sections, and to provide for the appointment of a commissioner on each.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill for the appropriation of swamp lands to the counties of Houghton and Keweenaw, for the construction of the Mineral Range State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. E. G. Morton, unanimous consent being given, introduced

A bill to make an appropriation to aid the Michigan State Agricultural Society.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. McKernan, previous notice having been given, and leave being granted, introduced

A bill to amend section 1, chapter 42, title 15, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Warner, previous notice having been given, and leave being granted, introduced

A bill to enable owners of real estate, to so plat the same for village purposes, as to prevent the sale of intoxicating liquors therein.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lockwood, previous notice having been given, and leave being granted, introduced

A bill to make a grant from the swamp land fund, in aid of the Michigan Female Seminary, located at Kalamazoo, on certain conditions.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Fifield, unanimous consent having been given, introduced

A bill to amend sections 2011 and 2024 of the compiled laws of 1857.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Howell, unanimous consent being given, introduced

A bill to accept and provide for the completion of the Michigan Female College.

The bill was read a first and second time by its title, and referred to committee on education.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to authorize the State Board of Agriculture to issue bonds.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to provide for the distribution of a bounty to counties or townships in cases of drafting.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Deare, previous notice having been given, and leave being granted, introduced

A bill to amend section 86, of chapter 78, of the compiled laws, the same being section 2329 thereof.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Keeney, previous notice having been given, and leave being granted, introduced

A bill to regulate fisheries in the county of Monroe.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Gaylord, unanimous consent being given, introduced

A bill to stay the forfeiture of recognizances, in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Gaylord, unanimous consent being given, introduced

A bill to incorporate the State Bank of Michigan.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Buckley, unanimous consent being given, introduced

A bill to authorize the common council of the city of Battle Creek, Calhoun county, to raise money, by tax, to refund moneys subscribed by the citizens of said city, for bounties to volunteers, under two calls of the general government, for 300,000 men each.

The bill was read a first and second time by its title, and,
On motion of Mr. Buckley,

The bill was placed on the order of third reading.

Mr. Buckley, unanimous consent being given, introduced

A bill to authorize the township of Pennfield, in Calhoun county, to raise money, by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers, under two calls of the general government, for 300,000 men each.

The bill was read a first and second time by its title, and,
On motion of Mr. Buckley,

The bill was placed on the order of third reading. ◆

Mr. Abbott, unanimous consent being given, introduced

A bill to authorize the township of Leroy, in Calhoun county,

to raise money, by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers, under two calls of the General Government for 300,000 men each.

The bill was read a first and second time by its title, and,

On motion of Mr. Buckley,

The bill was placed on the order of third reading.

Mr. Dockeray, unanimous consent being given, introduced

A bill to authorize F. Van Wickle, his heirs and assigns, to maintain and rebuild a mill dam on section 25, in the town of Spencer, Kent county, and assess damages for flowing waste land.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Gargett, previous notice having been given, and leave being granted, introduced

Joint resolution authorizing the Board of Control to divide the Port Huron, Bay City and St. Johns State road into two sections, and authorize the Governor to appoint two commissioners for the same.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Buckley, unanimous consent being given, introduced

A bill to authorize the township of Battle Creek, in Calhoun county, to raise money, by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers under two calls of the general government for 300,000 men each.

The bill was read a first and second time, by its title, and,

On motion of Mr. Buckley,

The bill was placed on the order of third reading.

Mr. Buckley, unanimous consent being given, introduced

A bill to authorize the supervisor of the township of Emmet, in Calhoun county, to assess upon the taxable property of said township, both real and personal, for the year 1863, a special tax, not to exceed twenty-five hundred dollars, for a volunteer bounty fund.

The bill was read a first and second time by its title, and,

On motion of Mr. Buckley,

The bill was placed on the order of third reading

Mr. Wilson, unanimous consent being given, introduced.

A bill authorizing the Commissioner of the State Land Office to withhold certain swamp lands from public sale.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. H. Miller, unanimous consent being given, introduced

A bill to authorize the Governor to appoint a Circuit Court Commissioner for the county of Oakland.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Buckley, unanimous consent being given, introduced

A bill to authorize the township of Bedford, in the county of Calhoun, to raise money by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers, under two calls of the general government for 800,000 men each.

The bill was read a first and second time by its title, and,

On motion of Mr. Buckley,

The bill was placed on the order of third reading.

● THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 11, entitled

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two,

Being under consideration,

Mr. Green moved that the bill be re-committed to the committee on the judiciary, with instructions to so amend the bill, that the maximum of the amounts paid as salaries to the judges of probate, shall not exceed the sum of \$1,500 in any one year, in any county in this State, except the county of Wayne.

Mr. Green demanded the yeas and nays, on the motion to re-commit;

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Griswold,	Mr. Piper,
Allen,	H. A. Hayden,	Rankin,
Barnes,	Henry Hayden,	Raymond,
Buckley,	Haze,	Slafter,
Combes,	Heminway,	Sprague,
Cook,	Hood,	Aura Smith,
Crane,	Keeney,	Stewart,
Crego,	Littlejohn,	Thomas,
Denman,	Mallary,	Tinham,
Dockeray,	McKernan,	Weatherby,
Fifield,	H. Miller,	Wheeler,
Fowle,	John Miller,	Williams,
Green,	H. C. Morton,	Woodman,
Grinnell,	Pendill,	

41

NAYS.

Mr. Aldrich,	Mr. Fitch,	Mr. Parsons,
Bentley,	Freeman,	Read,
Betts,	Gargett,	Spencer,
Bliss,	Gaylord,	T. G. Smith,
Bowen,	Harmon,	Sweezy,
Buell,	Hodgkinson,	Toll,
Burt,	Howard,	Voorheis,
Cobb,	Howell,	Welch,
Congdon,	Jenison,	White,
Deare,	Lockwood,	Wilson,
Dow,	J. C. Miller,	Winans,
Eldredge,	E. G. Morton,	Speaker,

36

House bill No. 59, entitled

A bill to authorize the Mount Clemens and Romeo plank road company to discontinue a portion of their road, and for other purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Freeman,	Mr. Pendill,
Barnes,	Gaylord,	Piper,
Bentley,	Green,	Rankin,

Betts,
Bliss,
Bowen,
Buckley,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Dixon,
Dockeray,
Dow,
Fellows,
Fifield,
Fitch,
Fowle,

Grinnell,
Griswold,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,

Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thomas,
Tinharn,
Toll,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Woodman,
Speaker,

74

NAYS.

0

Title agreed to.

On motion of Mr. Mallary,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 173, entitled

A bill to organize the township of Keosau, in the county of St. Clair,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buckley,
Buell,

Mr. Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,
Grinnell,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,

Mr. Parsons,
Pendill,
Piper,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Aura Smith,
Stewart,

Burt,
Clark,
Cobb,
Combes,
Cook,
Cowan,
Crane,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Fellows,

Hemingway,
Hodgkinson,
Howell,
Jenison,
Littlejohn,
Lockwood,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mcsher,

Sweezey,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Winans,
Winsor,
Woodman,
Speaker,

71

NAYS.

Mr. Fifield,

Mr. Wilson,

2

Title agreed to.

On motion of Mr. Eldredge,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MESSAGE FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, February 24, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to legalize the action of townships and counties in raising bounties for volunteers,

And to inform the House that the Senate has amended the same by inserting in line 1, section 2, after the word "or," the words "ward of any;"

Also, in line 3 of amendment to line 3, after the word "town," the letters "ship;"

Also, after the word "and," in said line, the words "in each;"

Also, by striking out the words "to be given," in said line, and insert in place thereof the words "which notice is hereby required to be given;"

Also, by inserting in line 4, after the words "pledged by," the words "any individual or by;"

Also, in line 6, after the word "act," the words "and any sum that the qualified electors thereof may determine shall be raised, to be paid as a bounty or bounties to volunteers, enlisted as aforesaid;"

Also, by striking out the whole of the proviso at the end of said section 2, and insert the following: "And it shall be the duty of the township clerk of said township, and the city clerk of said cities, to ascertain, prior to any such meeting, as near as may be, the sums to be so authorized to be raised, and submit the same, at the opening of the polls, to the electors, and keep the same during the meeting, open for their inspection;"

Also, by striking out the word "the," where it occurs the second time in line 3, section 4, and insert "all," in place thereof;

Also, by striking out all after the word "claims," where it last occurs in said line 3, to and including the word "cities," in line 4;

Also, by inserting in line 5, before the word "due," the words "which may be;"

Also, by inserting at the end of said section 4, the following: "but nothing herein contained shall authorize the re-payment to any person or persons of any moneys paid as a bounty, or as an inducement to others to enlist, unless such payment shall have been made from a general subscription or loan in the township or ward, and paid over to a township or city officer, some other person or persons informally authorized, as aforesaid, to receive and pay the same, and with the understanding among the persons subscribing or loaning the same, that the amount should be refunded whenever the township or ward should be authorized so to do; and no payment of bounty shall be made, under the authority of this act, to any commissioned officer in such service;"

Also, by inserting in line 2, section 6, after the word "city," the words "or any committee regularly appointed at a public meeting of the citizens of any county, township or city."

Also, after the word "thereto," in line 6, the words "or where said boards have pledged, by resolution, that any bounties should be paid whenever they should be authorized by law to raise and pay the same;"

Also, insert'at the end of said section 6, the following: "*Provided*, That in cases where any committee regularly appointed at a public meeting of the citizens of any county, township or city, has solicited subscriptions from the people for the purpose of paying bounties for volunteers in the service of the United States, the board of supervisors, the township board, or common council, shall not provide for the payment of such subscriptions until the qualified electors of said county, township, or city, shall so determine by vote, according to the provisions of section 2 of this act;"

Also, by striking out the word "first," in line 2, section 7, and inserting "last," in place thereof.

The Senate has also amended the title by inserting in first line, after the word "townships," the word "cities;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Howell,

The bill, with the amendments, was referred to the committee on banks and incorporations.

Mr. Buckley, by unanimous consent, moved to suspend the rule requiring the second and third reading of bills to be on different days, and that the bills now on the order of third reading be put upon their final passage;

Which motion prevailed.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to authorize the Circuit Judge to change the times of holding courts in the second judicial circuit,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fowle,	Mr. Parsons,
Aldrich,	Freeman,	Pendill,
Allen,	Gargett,	Piper,
Barnes,	Gaylord,	Rankin,
Betts,	Green,	Raymond,
Bliss,	Grinnell,	Read,
Bowen,	Griswold,	Slafter,
Buckley,	Harmon,	Spencer,
Buell,	H. A. Hayden,	Sprague,
Burt,	Henry Hayden,	T. G. Smith,
Clark,	Hodgkinson,	Aura Smith,
Cobb,	Howard,	Stewart,
Combes,	Howell,	Sweezey,
Congdon,	Jenison,	Thomas,
Cook,	Keeney,	Toll,
Cowan,	Littlejohn,	Welch,
Crane,	Lockwood,	Weatherby,
Crego,	Mallary,	Wheeler,
Davis,	Mason,	White,
Deare,	McKernan,	Williams,
Dixon,	H. Miller,	Winans,
Dockeray,	J. C. Miller,	Winsor,
Dow,	John Miller,	Woodman,
Eldredge,	H. C. Morton,	Speaker,
Fitch,	Mosher,	

74

NAYS.

Mr. Denman,	Mr. Hemingway,	Mr. Wilson,
Haze,	Tinham,	

5

Title and preamble agreed to.

On motion of Mr. Howell,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill, entitled

A bill to authorize the township of Battle Creek, in Calhoun county, to raise money, by tax, to refund moneys subscribed by

the citizens of said township, for bounties to volunteers, under the two calls of the General Government, for 300,000 men each

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fitch,	Mr. Parsons,
Aldrich,	Freeman,	Pendill,
Allen,	Gargett,	Piper,
Barnes,	Gaylord,	Rankin,
Bentley,	Grinnell,	Raymond,
Betts,	Griswold,	Read,
Bliss,	H. A. Hayden,	Slafter,
Bowen,	Henry Hayden,	Spencer,
Buckley,	Haze,	Sprague,
Buell,	Hemingway,	Aura Smith,
Burt,	Hodgkinson,	Stewart,
Clark,	Hood,	Sweezey,
Cobb,	Howard,	Thomas,
Combes,	Howell,	Tinham,
Congdon,	Jenison,	Toll,
Cook,	Littlejohn,	Voorheis,
Cowan,	Lockwood,	Welch,
Crane,	Mallary,	Weatherby,
Crego,	Mason,	Wheeler,
Davis,	McKernan,	White,
Deare,	H. Miller,	Wilson,
Dixon,	J. C. Miller,	Winans,
Dockeray,	John Miller,	Winsor,
Dow,	H. C. Morton,	Woodman,
Fellows,	Mosher,	Speaker,
Fifield,		

76

0

NAYS.

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 21, entitled

A bill to authorize the township of Penfield, in Calhoun county, to raise money by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers, under two calls of the general government for 300,000 men each.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Freeman,	Mr. Mosher,
Aldrich,	Gargett,	Parsons,
Allen,	Gaylord,	Piper,
Barnes,	Grinnell,	Rankin,
Bentley,	Harmon,	Raymond,
Betts,	H. A. Hayden,	Read,
Bowen,	Henry Hayden,	Slafter,
Buell,	Hemingway,	Spencer,
Burt,	Hodgkinson,	Sprague,
Clark,	Hood,	Aura Smith,
Cobb,	Howard,	Stewart,
Combes,	Jenison,	Sweezey,
Cowan,	Keeney,	Tinham,
Crane,	Littlejohn,	Toll,
Crego,	Lockwood,	Welch,
Davis,	Mason,	Weatherby,
Deare,	McKernan,	Wheeler,
Dixon,	H. Miller,	White,
Dockeray,	J. C. Miller,	Wilson,
Dow,	John Miller,	Winans,
Fellows,	E. G. Morton,	Winsor,
Fitch,	H. C. Morton,	Speaker,
Fowle,		

67

NAYS.

Mr. Pendill,

1

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the township of Bedford, in Calhoun county, to raise money, by tax, to refund moneys subscribed by the citizens of said township, for bounties to volunteers, under two calls of the general government, for 300,000 men each,

Being under consideration,

Mr. John Miller moved to refer the bill to the committee on banks and incorporations;

Which motion did not prevail.

Mr. Hemingway asked and obtained the unanimous consent of the House to amend the first section of the bill, by inserting after the word "Bedford," the words, "and all the other townships in the State."

On motion of Mr. Mason,

The bill was referred to Mr. Buckley.

House bill, entitled

A bill to authorize the township of LeRoy, in Calhoun county, to raise money by tax to refund moneys subscribed by the citizens of said township for bounties to volunteers under two calls of the General Government for 300,000 men, each.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dow,	Mr. J. C. Miller,
Aldrich,	Fellows,	John Miller,
Allen,	Fitch,	E. G. Morton,
Bentley,	Fowle,	H. C. Morton,
Betts,	Freeman,	Mosher,
Bliss,	Gaylord,	Parsons,
Buckley,	Green,	Piper,
Buell,	Grinnell,	Rankin,
70 Burt,	Griswold,	Raymond,
Clark,	Henry Hayden,	Read,
1 Cobb,	Haze,	Slaster,
Combes,	Hood,	Spencer,
Congdon,	Howard,	Sprague,
Cook,	Howell,	Aura Smith,
Crane,	Keeney,	Stewart,
Crego,	Littlejohn,	Sweezey,
Davis,	Lockwood,	Welch,
Deare,	Mallary,	Weatherby,
Dixon,	McKernan,	Wilson,
Dockeray,	Henry Miller,	

59

NAYS.

Mr. Fifield,	Mr. Winsor,	Mr. Speaker
Hemingway,	Woodman,	

5

Title agreed to.

On motion of Mr. Abbott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the common council of the city of Battle Creek, Calhoun county, to raise money, by tax, to refund moneys subscribed by the citizens of said city, for bounties to volunteers, under two calls of the general government, for 200,000 men each,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Howell moved to lay the bill on the table;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gergett,	Mr. H. C. Morton,
Aldrich,	Gaylord,	Mosher,
Allen,	Green,	Parsons,
Bentley,	Grinnell,	Piper,
Bliss,	Griswold,	Pratt,
Buckley,	Harmon,	Rankin,
Buell,	H. A. Hayden,	Raymond,
Burt,	Henry Hayden,	Read,
Clark,	Haze,	Slafier,
Cobb,	Hodgkinson,	Spencer,
Combes,	Hood,	Aura Smith,
Cook,	Howard,	Sweezey,
Cowan,	Howell,	Thomas,
Crane,	Jenison,	Toll,
Crego,	Kecney,	Voorheis,
Davis,	Littlejohn,	Welch,
Deare,	Lockwood,	Weatherby,
Dixon,	Mallary,	Wheeler,
Dockeray,	H. Miller,	White,
Dow,	J. C. Miller,	Wilson,
Fellows,	John Miller,	Winans,
Fitch,	E. G. Morton,	Speaker,
Freeman,		

NAYS.

Mr. Congdon,	Mr. Fowle,	Mr. Hemingway,
Wifield,		

Title agreed to.

On motion of Mr. Buckley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the supervisor of the township of Emmet, in Calhoun county, to assess upon the taxable property of said township, both real and personal, for the year 1863, a special tax, not to exceed \$2,500, for a volunteer bounty fund,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. E. G. Morton,

The bill was laid on the table.

UNFINISHED BUSINESS,

Being the consideration of the following resolution:

Resolved, (the Senate concurring,) That the Superintendent of Public Instruction be requested to prepare plans and specifications for school houses, adapted to the wants of the school districts of this State, and publish the same in his next annual report, or in the next published edition of the school laws;

The resolution was adopted.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced Messrs. Lockwood, Hemingway and Littlejohn, as the committee of conference on the part of the House, on House bill No. 24, entitled

A bill to provide for the election and classification of Regents of the University.

The Speaker announced Messrs. H. Miller, Green, Woodman, Barnes and H. A. Hayden, as the special committee on House bill No. 12, entitled,

A bill to amend the law of this State, fixing the compensation of township treasurers.

MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, February 24, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolution:

Joint resolution on the state of the Union;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

By unanimous consent, the committee on banks and incorporations, submitted the following report:

The committee on banks and incorporations, to whom was re-committed House bill No. 52, being

A bill to legalize the action of townships and counties in raising bounties for volunteers,

Together with the amendments made to the same by the Senate, respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the House concur in the amendments made to said bill in the Senate, and ask to be discharged from the further consideration of subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

Mr. Howell moved that the House concur in the amendments made to the bill by the Senate;

Pending which,

On motion of Mr. Welch,

The bill was laid on the table.

SPECIAL ORDER.

On motion of Mr. Howell,

The House went into committee of the whole on the special order,

Mr. Gaylord in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills;

1. A bill to confer certain forfeited lands, rights and privileges, upon the Marquette and Ontonagon railroad company, incorporated January 2, 1863, which were granted in the year 1857, to the Marquette and Ontonagon railway company, by an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857;

2. A bill to extend the time for the construction of the Marquette and Ontonagon railroad, under the act disposing of certain grants of land for railroad purposes, by act of Congress approved June 3d, 1856, approved February 14th, 1857, and the acts amendatory thereof, on certain conditions;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

A. S. GAYLORD, *Chairman.*

Report accepted, and committee granted leave to sit again.

On motion of Mr E. G. Morton,

The bills were made the special order for to-morrow afternoon, at 2 o'clock.

On motion of Mr. Howell,

The House adjourned until to-morrow morning, at 9 o'clock

Lansing, Wednesday, February 25, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Prayer by Rev. Mr. Meyer.

Absent at roll call, without leave, Mr. Buckley.

Mr. Haze asked and obtained leave of absence for Mr. Buckley, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Crego: remonstrance of A. D. Cole and 79 others, of River, in Jackson county, against the passage of House Bill No. 50, relative to insurance;

Also, remonstrance of James H. Townley, David Adams, and 87 others, of Tompkins, Jackson county, against the passage of House bill No. 50;

Also, remonstrance of S. H. Holmes and 38 others, citizens of Liberty, Jackson county, against the passage of House bill No. 50;

Also, remonstrance of Zela Barber and 134 others, farmers of the town of Leoni, Jackson county, against the passage of House bill No. 50;

On motion of Mr. Parsons,

The remonstrances were laid on the table.

By Mr. Deare: petition of Simon Poupard and 16 others, residents of Wayne county, praying for a law to appoint and define the duties of plank road inspectors;

On motion of Mr. Deare,

The petition was laid on the table.

By Mr. Henry Hayden: petition of J. S. Barclay, W. L. Sherman, and 33 others, for an act incorporating the city of Bay city;

Referred to the committee on banks and incorporations.

By Mr. Freeman: petition of Hiram Benedict, Rowland S. Vanscoy, George Daharsh and 138 others, for laying out and establishing a State road, and asking for an appropriation of swamp land to construct the same;

Referred to the committee on public lands.

By Mr. Tinham: petition of James A. Viscar and 55 others, resident tax-payers of the township of Ecorse, in the county of Wayne, asking the repeal of the law allowing the city of Detroit two supervisors from each ward on that board;

Referred to the committee on banks and incorporations.

By the committee on State affairs:

REPORTS OF STANDING COMMITTEES.

The committee on State affairs, to whom was referred

A bill to enable the owners of real estate so to plat the same for village purposes as to prevent the sale of intoxicating liquors thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the improvement of a certain State road in the county of Ionia, from the village of Portland, to the Detroit and Grand River road, in Clinton county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the joint committee on agriculture and manufactures, and education:

The minority of the joint committee on agriculture and manufactures, and education, to whom was referred

A bill making appropriations for the support of the Agricultural College, and the State Board of Agriculture,

Respectfully report the same back to the House, and recommend that the bill be printed, and ask to be discharged.

W. H. HAZE,

RICHARD J. CREGO,

JAMES DOCKERAY,

GEORGE LUTHER,

Minority of Joint Committee.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend section 1 of an act to amend an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, approved February 12, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWIN BURT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to divide the Lexington and Flint River State road into two sections, and provide for the appointment of a commissioner on each section,

Beg leave to report that they have considered the bill, and

have directed their chairman to report the same back to the House, recommend its passage, and ask to be discharged from the further consideration thereof.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill authorizing the Commissioner of the State Land Office to withhold certain swamp lands from public sale,

Be leave to report that they have considered the same, and have directed their chairman to report the bill back to the House, without amendment, recommend its passage, and ask to be discharged from further consideration of the same.

J. B. WILSON, *Chairman*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred the subject of establishing a military school in connection with the Agricultural College,

Respectfully report that they have had the same under consideration, and in accordance with the instruction of the House, have prepared a bill, which is herewith submitted, entitled

A bill to establish a military school in connection with the Agricultural College,

And which they recommend do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws, and to authorize the salary of county clerks,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, entitled

A bill to amend chapter 150, of the revised statutes of 1846, being chapter 175 of the compiled laws, entitled "of the fees of certain officers in civil cases,"

And recommend that the substitute do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, have instructed me to report the following entitled bills, viz:

A bill making appropriations for the support of the State Normal School;

Also,

A bill to provide for an additional sum for the payment of the members and officers of the Legislature, for 1863,

And recommend that they do pass, and ask to be discharged from the further consideration of the subject.

U. DAVIS, *Chairman.*

Report accepted and committee discharged.

The bills were read a first and second time by their titles, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill for the relief of J. E. Harding, assignee of Amasa B Carpenter,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with a substitute therefor, entitled

A bill for the relief of J. E. Harding, assignee of Amasa B. Carpenter,

Recommending that the substituted bill do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred the memorial of the Board of the State Agricultural Society, asking for an appropriation for the years 1863 and 1864,

Respectfully report that they have had the same under consideration, and have instructed me to report the accompanying bill, being

A bill to make an appropriation to aid the Michigan State Agricultural Society,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The memorial was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred a petition of the citizens of Houghton and Ontonagon counties,

asking an amendment of act No. 28, of the session laws of 1857,

Respectfully report that they have had the same under consideration, and have directed me to report herewith a bill, entitled

A bill to amend act No. 28, of the session laws of 1857,

And recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. SHERMAN, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

-By the committee on harbors:

The committee on harbors, to whom was referred the petition of Samuel Stratton, F. M. Crossett, and 86 others, of the township of New Buffalo, asking authority to improve the harbor in said township,

Respectfully report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with the accompanying bill, being

A bill to authorize the township of New Buffalo, and other towns in Berrien county, to make loans and levy taxes for the improvement of the harbor at the mouth of Galien river,

And, recommend that it do pass, and ask to be discharged from the further consideration of said petition.

GEORGE THOMAS, *Chairman.*

Report accepted and committee discharged.

The petition was laid on the table.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SPECIAL COMMITTEES.

The special committee, to whom was re-committed

A bill to authorize the township of Bedford, in Oakland

county, to raise money by tax to refund money subscribed by the citizens of said township, for bounties to volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with an amendment, and recommend that the bill, when so amended, do pass, and ask to be discharged.

E. BURT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Spencer,

The House concurred in the amendment made by the committee.

On motion of Mr. Burt,

The bill was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Parsons moved that the special order of to-day be postponed until next Wednesday, at 11 o'clock in the forenoon;

Which motion prevailed.

Mr. Harmon, previous notice having been given, and leave being granted, introduced

A bill to repeal sections 2, 3 and 4 of an act to protect the rights and liberties of the inhabitants of this State, approved February 13, 1855.

The bill was read a first and second time by its title;

Mr. Howell moved to lay the bill on the table;

Mr. Harmon demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Bentley,
Bliss,
Bowen,
Burt,
Cobb,
Combes,
Cook,
Cowan,
Crane.

Mr. Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Haze,
Hemingway,
Howell,
Mallory,
H. Miller.

Mr. Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thomas,
Voorheis.

Crego,
Davis,
Denman,
Dixon,
Hockeray,
Dow,
Fellows,
Fowle,

H. C. Morton,
Mosher,
Parsons,
Piper,
Porter,
Rankin,
Raymond,
Read,

Welch,
Weatherby,
Wheeler,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker, 64

NAYS.

Mr. Allen,
Barnes,
Betts,
Clark,
Congdon,
Eldredge,
Fifield,
Fitch,
Gaylord,
Grosebeck,
Harmon,
H. A. Hayden,

Mr. Henry Hayden, Mr. R. G. Morton,
Hodgkinson,
Hood,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mason,
McKernan,
J. C. Miller,
John Miller,

Pendill,
Pratt,
Sherman,
Thayer,
Tinham,
Toll,
Warner,
White,
Winans,
Winsor, 85

Mr. Howell moved to re-consider the vote just taken.

Mr. Hemingway moved to lay the motion on the table;

Which motion prevailed.

Mr. Howell moved that the rules be suspended so as to allow members to introduce bills, at the sessions this afternoon and evening, without previous notice;

Which motion prevailed.

Mr. Read moved that the committee of the whole be discharged from the further consideration of House bill No. 76, entitled

A bill to provide for publishing the time when the sessions of the Legislature heretofore have and hereafter shall end;

Which motion prevailed.

On motion of Mr. Read,

The bill was placed on the order of third reading.

Mr. E. G. Morton offered the following:

Resolved, That the committee on the judiciary be and they are hereby instructed to report a bill this evening, to repeal the registry law, except in incorporated cities;

Which was not adopted.

Mr. Lockwood moved to take from the table House bill No. 28, entitled

A bill in relation to assignments and to compel assignees to give security;

Which motion prevailed.

The question being upon the passage of the bill, it was not passed, a majority of all the members elect not voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Allen,
Barnes,
Bliss,
Burt,
Clark,
Combes,
Cook,
Crane,
Denman,

Mr. Fifield,
Griswold,
Heminway,
Hodgkinson,
Jenison,
Lockwood,
Mason,
McKernan,
H. Miller,
Parsons,

Mr. Piper,
Porter,
Rankin,
Raymond,
Read,
Sweezy,
Warner,
Woodman,
Speaker,

29

NAYS.

Mr. Aldrich,
Bentley,
Bowen,
Buell,
Cobb,
Orego,
Davis,
Deare,
Dixon,
Dockeray,
Daw,
Eldredge,
Fellows,
Fitch,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,

Mr. Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Mallory,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Masher,
Pendill,
Pratt,
Sherman,

Mr. Spencer,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Thayer,
Thomas,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winans,
Winsor,
Woodworth, 57

Mr. Howell moved to re-consider the vote whereby the bill was not passed;

Mr. Sherman moved to lay the motion on the table;

Which motion prevailed.

Mr. Hemingway moved to take from the table,

House bill No. 52, being

A bill to legalize the action of townships and counties, in raising bounty for volunteers;

Which motion prevailed.

The question being upon concurring in the amendments made to the bill by the Senate, the same were concurred in, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Combes,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Fitch,
Fowle,
Freeman,
Gargett,

Mr. Green,
Grinnell,
Griswold,
Harmon,
H. A. Hayden,
Henry Hayden,
Hase,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
E. G. Murton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Slatte,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Aura Smith,
Sweezey,
Thayer,
Thomas,
Toll,
Voorheis,
Welch,
Weatherby,
White,
Wilson,
Woodworth,
Speaker,

68

NAYS.

Mr. Allen,
Barnes,
Clark,
Cobb,
Eldredge,
Fellows,
Fifield,

Mr. Grosebeck,
Howard,
Lockwood,
Mason,
John Miller,
Read,
Sherman,

Mr. Stewart,
Tinharn,
Warner,
Wheeler,
Winans,
Winsor,
Woodman,

21

The bill was referred to the committee on engrossment and enrollment, for enrollment.

Mr. Harmon, previous notice having been given, and leave being granted, introduced

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws, as amended by act number 189 of the session laws of 1859.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Parsons, unanimous consent being given, introduced

A bill to amend section 3941 of the compiled laws, relative to appeals from the judgments of justices of the peace, in criminal cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Pratt, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to incorporate the city of Marshall, approved February 14, 1859.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. H. Hayden, previous notice having been given, and leave being granted, introduced

A bill to incorporate Bay City.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Howard, unanimous consent being given, introduced

A bill changing the name of the township of Ottawa, in the county of Ottawa, to that of Grand Haven.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Sherman, previous notice having been given, and leave being granted, introduced

A bill making appropriations in aid of the State Agricultural College and the Michigan School of homeopathy and surgery.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend chapter 59, title 12, of the revised statutes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill relative to proceedings in the supreme court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend chapter 150, title 27, of the revised statutes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend an act entitled an act giving the circuit court jurisdiction in actions of ejectment, approved April 2, 1849, being section 4615, of the compiled laws, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend act No. 125, of the session laws of 1861.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend section 4315, of the compiled laws, being section 78, of chapter 102, of the revised statutes of 1846, relative to documentary evidence.

The bill was read a first and second time by its title, and referred to committee on the judiciary.

Mr. Lockwood, unanimous consent being given introduced,
A bill relative to proceedings in chancery, and appeals therefrom.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
A bill to amend chapter 114, title 31, of the revised statutes,
relative to proceedings by attachment.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Lockwood, unanimous consent being given, introduced
Joint resolution relative to facilities for transportation of the
produce of the West.

The joint resolution was read a first and second time by its
title, and referred to the committee on State affairs.

Mr. Barnes, unanimous consent being given, introduced
Joint resolution relative to stationery for reporters.

The joint resolution was read a first and second time by its
title, and referred to the committee on ways and means.

Mr. Burt gave notice that on some future day he would ask
leave to introduce

A bill to amend an act entitled an act to provide for the
drainage and reclamation of swamp lands, by means of State
roads and ditches, approved February 12, 1859.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Barnes, unanimous consent being given, introduced
A bill to authorize the Amboy, Lansing and Traverse Bay
Railroad Company to acquire the rights of the Grand River
Valley Railroad.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Mason, unanimous consent being given, introduced
A bill to amend act No. 163, of 1861, entitled an act relative
to laying out, altering and discontinuing highways.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Mason, previous notice having been given, and leave
being granted, introduced

A bill to authorize the flooding of Thunder Bay River, to increase its navigable capacity.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Mason, previous notice having been given, and leave being granted, introduced

A bill to authorize and require cashiers and tellers of banks, and bankers, to cancel counterfeit bank bills.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Williams, unanimous consent being given, introduced

A bill relating to the procuring and preservation of certain papers.

The bill was read a first and second time by its title, and referred to the committee on geological survey.

Mr. Williams, unanimous consent being given, introduced

A bill to provide for a special geological survey of portions of the State, and the collection, arrangement and preservation of geological specimens.

The bill was read a first and second time by its title, and referred to the committee on geological survey.

Mr. Green, unanimous consent being given, introduced

A bill to amend an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled "of courts held by justices of the peace."

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. H. A. Hayden, previous notice having been given, and leave being granted, introduced

A bill conferring certain land grants, to aid in the construction of the Grand River Valley Railroad Company.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. T. G. Smith, previous notice having been given, and leave being granted, introduced

A bill to provide for improving a certain State road, from the village of Gaines, to the village of Flushing, in the county of Genesee,

The bill was read a first and second time by its title, and

On motion of Mr. T. G. Smith,

The bill was laid on the table.

Mr. Cook, unanimous consent being given, introduced

A bill to legalize the action of the board of supervisors of the county of Calhoun, and of the townships and cities in said county, in raising bounties for volunteers.

The bill was read a first and second time by its title, and,

On motion of Mr. Cook,

The bill was laid on the table.

Mr. Howell, unanimous consent being given, introduced

A bill to provide for the payment to counties, the remitted taxes on lands of the St. Mary's Falls Ship Canal Company.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Howell, unanimous consent being given, introduced

Joint resolution authorizing the Board of State Auditors to examine, audit and allow certain claims therein named.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Read, unanimous consent being given, introduced

A bill to provide for the opening and improvement of roads, on the line between adjoining townships.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Crego, unanimous consent being given, introduced

A bill to raise revenue, protect sheep, and confiscate dogs.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Fellows, unanimous consent being given, introduced

A bill to appropriate the proceeds of certain swamp lands, in the township of Prairie Ronde, Kalamazoo county, and the township of Flowerfield, St. Joseph county, for road purposes.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Wheeler, unanimous consent being given, introduced

A bill to amend act No. 250, of session laws of 1861, in relation to the Reform School.

The bill was read a first and second time by its title, and referred to the committee on Reform School.

Mr. Fowle, previous notice having been given, and leave being granted, introduced

A bill to legalize the proceedings of the electors of the township of Woodbridge, in the county of Hillsdale, for the purpose of raising a war bounty.

The bill was read a first and second time by its title, and,

On motion of Mr. Fowle,

The bill was laid on the table.

Mr. Welch, unanimous consent being given, introduced

A bill to authorize the several townships in the county of Ionia to raise money by tax, to refund moneys paid by the citizens of said township for bounties to volunteers under the two calls of the general government, for 800,000 men, each.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Rankin, unanimous consent being given, introduced

Joint resolution relative to the binding of the journals, documents and laws of the Legislature, for the year 1868.

The bill was read a first and second time by its title and referred to the committee on printing.

Mr. Rankin, unanimous consent being given, introduced

Joint resolution relative to the execution of leading rebels.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Winzor, previous notice having been given, and leave being granted, introduced

A bill to provide for opening a channel at the mouth of the river Du Fil, in Huron county.

The bill was read a first and second time by its title, and referred to committee on public lands.

Mr. White, unanimous consent being given, introduced

A bill authorizing the Board of State Auditors to examine,

audit and allow the claims of William Beard, for work done on the Muskegon Flats.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. White, unanimous consent being given, introduced

A bill to amend sections 2463, of chapter 82, of the compiled laws.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. White, unanimous consent being given, introduced

Joint resolution for the relief of Myron H. Burr.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. E. G. Morton, unanimous consent being given, introduced

A bill to authorize the common council of the city of Monroe to raise money for volunteers.

The bill was read a first and second time by its title, and,

On motion of Mr. Monroe,

The bill was laid on the table.

Mr. E. G. Morton, unanimous consent being given, introduced

A bill to create and locate a State College of Agriculture and Mechanic Arts, with a department of military tactics.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. John Miller, unanimous consent being given, introduced

A bill to provide for recording births, marriages and deaths.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mallory, unanimous consent being given, introduced

A bill to legalize the action of the towns of Armada, Bruce Bay and Washington, in raising a bounty for volunteers.

The bill was read a first and second time by its title, and,

On motion of Mr. Mallory,

The bill was laid on the table.

Mr. Swezey, previous notice having been given, and leave being granted, introduced

A bill to authorize and provide for replatting the village of Hastings, in the county of Barry.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Rankin, unanimous consent being given, introduced Concurrent resolution, relative to preparing the journals of the present Legislature.

On motion of Mr. Rankin,

The concurrent resolution was referred to the committee on ways and means.

Mr. Deare, unanimous consent being given, introduced

A bill to repeal act No. 183, of the session laws of 1861, approved March 12, 1861, the same being an act to provide for the manner of equalizing the assessment rolls, by the board of supervisors of the county of Wayne.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Deare, unanimous consent being given, introduced

Joint resolution requesting the President to convene the next Congress as early as the first Monday in May next.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 76, entitled

A bill to provide for publishing the time when the sessions of the Legislature heretofore have, or hereafter shall end.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bowen,
Buell,
Burt,

Mr. Freeman,
Gargett,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,

Mr. Parsons,
Pendill,
Piper,
Pruett,
Rankin,
Raymond,
Read,
Slafter,

Clark,	Haze,	Spencer,
Cobb,	Hemingway,	Sprague,
Combes,	Hodgkinson,	G. A. Smith,
Congdon,	Hood,	T. G. Smith,
Cook,	Howard,	Aura Smith,
Cowan,	Howell,	Sweezey,
Crane,	Jenison,	Thayer,
Crego,	Keeney,	Tinham,
Davis,	Littlejohn,	Toll,
Deare,	Lockwood,	Voorheis,
Denman,	Mallary,	Welch,
Dockeray,	Mason,	Weatherby,
Dow,	McKernan,	White,
Eldredge,	H. Miller,	Williams,
Fellows,	J. C. Miller,	Winans,
Fifield,	John Miller,	Woodman,
Fitch,	E. G. Morton,	Woodworth,
Fowle,	H. C. Morton,	Speaker,
	NAYS	78

Title agreed to.

On motion of Mr. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

Resolved, by the House of Representatives, (the Senate concurring,) That the Board of State Auditors be and they are hereby instructed, to enlarge the Hall of the House of Representatives, before the assembling of another session of the Legislature, by extending the same so as to embrace the entrance Hall to the Capitol, and by making the entrance Hall through the present Supreme Court room, and otherwise to improve the Hall, so as to promote the health and comfort of members, by such changes in the manner of heating the same, as may be found necessary.

The resolution was adopted.

GENERAL ORDER.

On motion of Mr. Read,

The House went into committee of the whole on the general order,

Mr. E. G. Morton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bill:

1. A bill to provide for recording United States internal revenue stamps, affixed to instruments authorized by law to be recorded;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee have also had under consideration, the following entitled bills:

2. A bill to amend section 4115 of the compiled laws of the State of Michigan, it being section 9, of chapter 97, of the revised statutes of 1846;

3. A bill to provide for laying out and establishing a State road, commencing on the west line of section 19, in township 5 north, of range 15 west, in the county of Ottawa, to Scho'te's bridge, in said township;

4. A bill to authorize the fifth ward, of the city of Grand Rapids, to assess and collect certain monies, for school purposes;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee have also had under consideration the following entitled bill:

5. A bill authorizing the establishment of township school districts;

Have made some progress therein, but not having gone

through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

E. G. MORTON, *Chairman*.

Report accepted.

On motion of Mr. Williams,

The first named bill was placed on the order of third reading.

On motion of Mr. Hemingway,

The House concurred in the amendments made to the second, third and fourth named bills, *in gross*, and the several bills were placed on the order of third reading.

Leave was granted the committee to sit again in the consideration of the fifth named bill.

On motion of Mr. Howell,

The House adjourned until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, pursuant to adjournment, and was called to order by the Speaker

Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

By the majority of the joint committee on education, and the committee on agriculture and manufactures:

The joint committee of education and agriculture, to whom was referred so much of the Governor's message as relates to the Agricultural College, have had the matter under careful consideration, and submit the accompanying report, to which they invite the candid attention of the House:

It seems to have been a favorite idea with the people of the State, and with their representatives, from an early period, that there should be provided as soon as practicable, an Agricultural School, for instruction in agriculture and the natural sciences connected therewith; for the law establishing a University, makes provision for additional branches, and among them an agricultural branch; and at the time of

revising the Constitution, the question of attaching such a school to the University was discussed, but the measure failed, simply because it was coupled with an appropriation of lands for the purpose of establishing a model and experimental farm, which was thought to be inexpedient, because it placed the lands out of reach of the Legislature. But a provision was introduced enabling the Legislature to so attach the school whenever the interests of the State seemed to require it.

The Executive Committee of the State Agricultural Society, at their annual meeting, after the revision of the Constitution, petitioned the Legislature to establish an Agricultural School in connection with the University, and place it under the charge of the board of regents. The Legislature did not comply with the request of the petitioners, and in 1854 they sent in another petition, accompanied by a bill, for establishing a separate institution. The bill was amended somewhat, and adopted. It required, among its most remarkable provisions, that the College should be located within ten miles of Lansing.

The duty of locating the farm and College was conferred upon the Executive Committee of the State Agricultural Society. The Secretary advertised for proposals, and about the middle of June, A. D. 1855, that committee—leaving behind them the land-marks and evidences of civilization, and pushing forward into a wide and desolate wilderness—planted the first State Agricultural College on the Western Continent. Nothing but zeal—without any knowledge of the practical business of founding and building up a great institution of learning, of the absolutely needed influences and interests which alone could support and sustain so great, complicated and magnificent an enterprise, and which are found nowhere but in old communities—nothing but zeal, we say, can ever be pleaded in palliation of the great mistake of those who then thought to build up such an institution here, in the midst of primeval forests, broken only now

and then by the small openings of poor settlers; where, as in all new districts, malarious diseases are almost epidemic; three miles from any settlement, and entirely separated from all the genial and refining influences of society and friendly intercourse.

When the committee assembled at this place, for the purpose of locating the College farm, the Secretary of the State Agricultural Society read before them a lengthy address, in which he introduced a mass of testimony relating to the operation of Agricultural Schools in Europe, proving beyond cavil, that not only is the art of agriculture at its highest stage of development, where there are no purely Agricultural Schools, but that where such schools have been established, they have either failed outright, or have been obliged to add the ordinary College course, at least so far as to embrace other sciences, history and modern literature. And why—after having had before them such a mass of facts, brought to light by the experience of those old countries, and after hearing the unanswerable arguments contained in a paper from Prof. Winchell, as to the policy of uniting the College with the University, and the disadvantages which must follow a separate system, which was embodied in this address—why the committee did not at once retrace their steps, and leave the hurried action of the Legislature to be re-considered, is not easily determined. To illustrate the policy of the State, and of the Agricultural Board, let us introduce a comparison:

A firm is engaged in the manufacture of machines. Extensive buildings and work-shops are erected, supplied with all the necessary fixtures—machinery, motive power, tools and apparatus, and with a complete corps of operatives, so that they are able to meet all existing demands upon the establishment. Years roll round, and the manufactory has become firmly settled, on a sound business foundation. But now, a new want arises—as is frequently the case in new communities, or, in progressive communities anywhere—for

an article somewhat different in its nature from the ordinary manufacture, and it is found that the machinery in use will not supply it fully and that the number of hands must be increased. Now, what does this firm do? Do they decide to erect new workshops, duplicate all their machinery—motive-power, shafting, pulleys, gearing, belting, heating apparatus, tools, and all the necessary incidental expenses, employ another set of workmen and build residences for them? Or do they conclude to make a few simple additions to their machinery, employ a few more workmen, and then, with true economy, make every man and every machine work to the full extent of their capacity. In the mind of every business man, there can be, of course, but one answer to these propositions. A repetition, or duplication of expenses, is always considered a most dangerous experiment—a leak which will almost surely bring prostration, if not ruin, in any business. They would most certainly decide to make the additions to their machinery and force needed, and use their old workmen, whose skill and experience could be relied upon.

Now, a College or a University, is only a manufactory on a higher and grander scale, supplied with all the machinery, apparatus and operatives, necessary to turn out well educated and polished men and women; and it must be conducted on a strict business basis, or it cannot in any measure be successful.

When the new demand was made upon the State for what has been termed agricultural education, (empirically,) and its legislators began to look around for the means of meeting the demand, we had our noble University in full operation, doing an extensive and prosperous business, with a full supply of machinery, apparatus and help, to carry on its then accustomed routine of labor; and by the simple addition of two or three professorships, and a small cultivated farm, it could have performed all that the new demand required,

with entire satisfaction, and without disturbing at all the regular courses of the Institution.

But the State decided to build another manufactory and to add to it a vast domain of land and timber; buy new machinery, procure a new and untried set of hands, build residences for them, and in fine, with the hard earned money of the people, duplicate all the running expenses of the one established institution, and much more than that, without increasing one iota the educational advantages to the people, more than might have been done with less than one-quarter of the expense already incurred. Was this, we ask, sound statesmanship? Was it true political economy?

But to vary the simile somewhat, so as to illustrate our present condition: The State now finds itself in possession of two extensive manufactories, devoted to the same purposes and objects, and situated in different parts of the State. They are both necessarily expensive. It is found that one can, with a trifling expenditure, do all the labor of both, and with its old operatives and its well regulated and extensive machinery, can do the work better and cheaper than can be done by new hands, with imperfect machinery and means. On careful investigation this is found to be unmistakably so. The simple question then is, shall the Legislature unite the two under the old, experienced corps of operatives? And now when the State is deeply in debt, when the condition of the country and its finances warn every true economist of the great danger of unnecessary public expenditures, when the people are burdened with a taxation for the support and maintenance of the Government, such as they never before dreamed of enduring, this question comes to us with increased force, inasmuch as the union of the two institutions will save to the State, the immense sums which must be expended in supporting and carrying them on separately.

As this is the most delicate as well as weighty proposition coming within the scope of this report, your committee feel that it deserves a most careful consideration, free from all

Bias, local prejudice, or personal interest whatever, and that the question should be put upon the broad basis of State policy and the general good; all local questions should be ignored.

In addition to the preceding observations and arguments, which are believed to be correct in principle, and entitled to some weight, some further considerations, bearing upon the same points, will not be out of place. Gov. Andrew, of Massachusetts, in his late address to the Legislature, alluding to the grant of land by Congress, says with great truth and force, "this Congressional grant of Congress we shall not use wisely, if we make of it simply a means of giving farmer's sons such an education as they could obtain by living on a well managed farm and attending an ordinary high school. It must be made the means of a positive increase of human knowledge in the departments bearing on agriculture and manufactures, and the medium of teaching not only farmers, but those who shall become teachers and improvers of the art of farming.

"Such an institution should have ample lands for experimental purposes, and even on a moderate scale of completeness, should embrace the following distinct Professorships: 1. Mathematics, pure, and applied to Surveying, Levelling, &c. 2. Drawing and Design. 3. General Physics and Meteorology. 4. Mechanics and Engineering, especially as applied to agricultural machinery and processes to rural architecture, road making, &c. 5. General and Agricultural Chemistry. 6. Chemical analysis, especially as applied to soils, manures, and products. 7. Botany and Vegetable Physiology. 8. Zoology and Animal Physiology, including breeding of animals, their diseases and treatment. 9. Geology and Mineralogy. 10. Practical Husbandry." He goes on further to say: "The act of Congress does not make provision for an Agricultural School of the highest class in each State. Nor would it be possible now to find, disconnected from our

Colleges and Universities, as many men of high talent, and otherwise competent, as would be required to fill the chairs of one such school. But Massachusetts already has, in the projected Bussey Institution, an Agricultural School, founded, though not yet in operation, with a large endowment, connected also with Harvard College and the Lawrence Scientific School. She can, therefore, by securing the grant from Congress, combining with the Institute of Technology and the Zoological Museum, and working in harmony with the College, secure also for the agricultural student, for whom she thus provides, not only the benefits of the national appropriation, but of the Bussey Institution, and the means and instrumentalities of the Institute of Technology, as well as those accumulated at Cambridge. The benefits to our State, and to our country, and to mankind, which can be obtained by this co-operation, are of the highest character, and can be obtained in no other way."

- Here we get an idea of what constitutes an agricultural education, and of the means which are to be employed in acquiring it, which it is believed we may study with some profit. The entire collegiate force of the State is to be combined for the benefit of the sons of farmers and mechanics. Labor is to be elevated and made honorable by throwing open to it the entire educational resources of the State. "I cannot doubt," says Gov. Andrew, "that the people of the Commonwealth have a right to those benefits; the prevention of all the waste of means, the weakening of resources, the repetitions of professorships, libraries, apparatus and other material, consequent on scattering instead of concentration. The object should be to centralize and economize means and power, while distributing and popularizing education and its fruits."

We shall not dare to quote further from this admirable message, lest we weary the patience of the House; but it contains unanswerable arguments against that fatal policy which scatters the means of the State upon various projects, making

and supporting only third-rate institutions, and finally bringing the vital educational interests of the State into disrepute. If our State is to retain her place among those that are leading educational States, she must unite her means, instead of dispersing them, upon one institution, developing that, so that it may embrace every interest, and pour the gladsome light of universal science upon every profession, upon every industrial art, and every trade. Then shall we be able to realize, by actual experiment, the grand and true idea of a University.

The University now costs the people of the State, annually, for its support, \$40,000; but with this sum, additions to the library, museum, gallery of art, &c., are yearly made. The library, apparatus and other means of instruction, have cost the people of the State \$50,000. These sums are freely given, inasmuch as it has been the intention of the people, from the beginning, to build up here an Institution, which, in time, may rival the old Universities of the east, embracing every science, every art, and visiting, with its benefits and benign influences, every home in the State. Now, it is only asked that the means within our control should be so employed as to "build on the foundation our fathers laid; and endeavor to make actual, in the life of our society, their grand ideal of a University, equal to the wants and the capacity of our people. While we ignore the centralization of political power, we have no fears of the concentration of the means of education. We would gladly concentrate in one, all the Colleges in the State; and what an array of gifts, talents and means of comprehensive illustration such a union would bring together!

A word as to the location of the University. The section of country in which the city of Ann Arbor is situated, has attracted the attention of every one who has visited the place. All around, in undulating beauty, watered by the winding Huron, lies a country, rich, healthful, ornamented with substantial dwellings of intelligent agriculturists; well

fenced, well cultivated, and dotted everywhere with orchards and fine gardens. The city of Ann Arbor contains an intelligent, courteous, and enterprising class of men and women; and the industrious and high-minded student has easy access to the best society.

Let us sum up now, the certain advantages which a transfer of the Agricultural College interest to the University, would afford to the student and to the State at large:

1. It will prove a saving of further outlay for buildings, for some time to come, at least;
2. It will save all further expense for library, apparatus, museum, &c.;
3. The advantage to the agricultural student of the Geological and Mineralogical collections of the University, which cannot be surpassed in the country and cannot be duplicated without a re-survey of the State. In the collections also, of birds, quadrupeds, insects and plants, the outfit is such as the Agricultural College could not, for many years, equal, and indeed it would be an unwarrantable expense to purchase the same over again;
4. By uniting the apparatus of the College with that of the University, all classes of students could share the benefits of an extensive laboratory;
5. An entire saving to the State of the amount now paid to Professors at the College. Your committee have ascertained that no appropriation will be needed in this line at the University;
6. A saving of all incidental expenses;
7. The University affords superior means of instruction in every branch;
8. The incidental advantages of a large Institution where all the sciences are taught;
9. The advantage to the student of boarding in private families;
10. Scientific agriculture is necessarily a part of University instruction;

11. It will centralize and reproduce, instead of dispersing our educational resources;

12. The advantages of society, business, trade, and a healthful climate, over an isolated residence in the woods, with ague or an aching liver for a comforter;

13. But last and most important of all, the more complete and thorough education which the University can offer to the agricultural student. Your committee believe that the proposition to give the sons of agriculturists and mechanics an education essentially different from that of other classes, is entirely erroneous. The manual labor professions are as often now represented in the halls of legislation, and in all public enterprises, as any other. Then why should they not be as thoroughly educated, and be permitted to obtain that education on an equal footing with other professions? Why should your son and mine, because you are a mechanic and I a farmer, be sent into the wilderness to school, to pile logs and dig stumps, while the sons of our neighbors have access to the cultivated society of our best agriculturists, mechanics, merchants and professional men? Is there any good reason for it? Shall we not demand it as a sacred right, that the means of the State shall be so employed, that its benefits may be universal?

The Faculty of the Agricultural College propose:

1. "To impart a knowledge of science and its applications to agriculture."

This idea of the application of science to agriculture has had a run of several years. It has served a purpose with theoretical writers and teachers to give a fine turn to a sentence, or to make a show of knowledge without a specific conception as to what it involved; and after all, the student is generally left to make his own applications, which, in truth, he will usually do without much assistance. What we most want is knowledge, properly and thoroughly imparted; the application follows as a sequence. Knowledge is power, and few persons neglect or refuse to use it, or apply it, when op-

portunity offers. But how is it proposed at the Agricultural College, to learn to apply the knowledge gained in the laboratory? There the operations in the laboratory or lecture room are conducted by one person, the out-door applications by another. The Professor imparts instruction to the students in the various branches, and the farmer imparts a knowledge of the applications. But the query is, how is the farmer to know, when the class comes to the field, what the Professor has been teaching? But again: suppose that the Professor has been teaching the chemical principles involved in any operation—in the proper preservation of manures, for example; or again, in the curing of hay, how is a practical farmer, who has not given his attention to science, to teach the application, and when he was not present with the class during the lecture?

The Faculty propose:

2. "To impart a knowledge of agriculture as an art." We have examined fully the history of Agricultural Institutions, and though this has been one of the leading objects as proposed with all of them, yet we have been unable to find a single instance where anything has been accomplished worthy of mention. The truth is, such Institutions are always behind our best farmers, who manage their own affairs, and who, of course, from the strongest of motives, conduct them after the most approved method. Practice in farming, is always ahead of science, and so it has been with nearly every manipulated art. Practice, by repeated trials, establishes facts, without inquiring about the philosophy of them; the scientist follows, taking the facts as data, and establishes and unfolds principles, and draws his deductions. Therefore, for an institution of learning, to attempt to teach practical farming, when the student can go to the neighboring agriculturist and acquire a more thorough knowledge in less time, and get pay for his labor besides, will surely prove an abortive undertaking.

3. "To prosecute experiments, promote the science of agriculture and improve the methods employed."

Every practical man will look with much interest to these contemplated investigations and improvements. But inasmuch as we are called upon to express our views on all matters pertaining to this important subject, we must say to the Faculty, that with the means in hand, the Institution imperfectly organized, an extensive, rough and rugged farm, relying upon the labor of students, we do not understand what useful experiments they can undertake, nor what valuable new methods they can develop.

The expenses of the Agricultural College have been as follows:

1855,.....	\$10,358 95
1856,.....	34,181 50
1857,.....	48,619 01
1858,.....	3,158 85
1859,.....	17,676 45
1860,.....	13,219 43
1861,.....	9,597 50
1862,.....	13,506 62
Total,.....	<u>\$150,318 31</u>

Being for grounds, buildings, furniture, apparatus, salaries and running expenses, &c.

The expenses of the Boarding Hall are \$2,500 over and above the receipts, per year. This arises from paying students 7 cents per hour as a bonus for attending school. The average yearly expenses have been about \$19,000!

In case the College is transferred to the University, this annual drain upon the treasury will be saved. No appropriation will be required from the State, to carry out the highest wishes and hopes of the friends of agricultural education in the State—not a dollar. If a Military School is attached, a small appropriation will need to be made, not exceeding \$3,000 annually, for a time. Besides these advantages, your committee are assured by one of the leading citizens of Ann Arbor, which they regard as entirely reliable, that in case the

Legislature see fit to make the transfer of the College to the University, the citizens of that city will donate to the College 40 acres of land lying within a proper distance, or they will raise \$5,000 in money, to be applied in improving any such lands as the State may purchase. The proceeds of the grant of land made by Congress, will sustain the College in connection with the University, at the highest point of usefulness, while, if the Institution is continued separately, it will not half supply its wants.

The important question now arises: what would be done with the College Farm in case of a transfer? The peculiar condition of another State interest seems to furnish an answer.

The State has taken upon herself a great and generous trust; one that honors her, and those also into whose hands it is more directly entrusted. We allude to the Reform School. Never did a people engage in a more humane and noble enterprise; never did a State adopt so simple and cheap a scheme, as is embraced in the system here adopted, for the suppression and prevention of crime. This Institution is full and overflowing. A most alarming and virulent disease has lately broken out suddenly, among the inmates, owing to their crowded quarters. The managers want the College Farm, so as to enable them to adopt the family system, so successfully introduced in other States. Shall we give it to this noble work? We can safely trust an intelligent and humane people to answer.

Your committee can barely suggest these propositions. The tedious length which this report has reached, forbids any discussion of questions so weighty. They are, therefore, left for your consideration and disposition.

Your committee beg leave to offer two bills, which embrace the objects contemplated in this report, entitled

A bill to provide for the reorganization of the Reform School, and for making certain grants thereto;

A bill to provide for uniting the State Agricultural College with the University;

And ask to be discharged.

CHAS. BETTS, *Chairman.*

Report accepted and committee discharged.

The bills were read a first and second time by their titles.

On motion of Mr. Howell,

The bills, with the report, were laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Deare offered the following:

Resolved, (the Senate concurring,) That the State Printer be and is hereby directed to print a sufficient number of copies of House bill No. 52, as amended by the Senate, and concurred in by the House, the same being "A bill to legalize the action of townships and counties in raising bounties for volunteers," and mail one copy of said act to each supervisor and township clerk of each township, and to the mayor and city clerk of each city, without delay.

Laid on the table for one day, under the rule.

Mr. Burt, unanimous consent being given, introduced

A bill to amend sections 32 and 33 of an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Abbott, unanimous consent being given, introduced

A bill making appropriations to meet the current expenses of the Reform School, for the years 1863 and 1864.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Lockwood, unanimous consent being given, introduced

A bill to authorize the Peshtigo Company, of Wisconsin, to construct dams across the Menominee river.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Rankin, unanimous consent being given, introduced

Joint resolution providing for the publication and distribution of the Adjutant General's report for the year 1863, and during the existence of the rebellion.

The joint resolution was read a first and second time by its title, and referred to the committee on printing.

Mr. G. A. Smith, unanimous consent being given, introduced

A bill to amend an act entitled an act to amend certain sections of the primary school laws, approved February 15, 1859.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Hemingway, unanimous consent being given, introduced

A bill to provide for the education of wounded and disabled soldiers that have been or shall be engaged in suppressing the present rebellion.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Wheeler, unanimous consent being given, introduced

A bill to provide for the taxation of capital invested in mortgages.

The bill was read a first and second time by its title, and

On motion of Mr. Howell,

The bill was laid on the table.

Mr. Thomas, unanimous consent being given, introduced

A bill to amend section 495 of the compiled laws.

The bill was read a first and second time, by its title, and referred to the committee on towns and counties.

Mr. Gargett, previous notice having been given, and leave being granted, introduced

A bill for the relief of the Saginaw and Alma plank road company.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Howell, unanimous consent being given, introduced

Joint resolution relative to the purchase of the State Gazeteer.

The joint resolution was read a first and second time by its title, and referred to the committee on education.

Mr. Read, unanimous consent being given, introduced

A bill to provide for the repayment of moneys advanced by citizens of Kalamazoo county, to pay bounties to volunteers mustered from this State into the military service of the United States.

The bill was read a first and second time by its title.

On motion of Mr. Read,

The bill was laid on the table.

Mr. Sweezey, unanimous consent being given, introduced

A bill to provide for laying out and establishing a State road from Hastings, in the county of Barry, to Saranac, in the county of Ionia.

The bill was read a first and second time by its title, and referred to the committee on public lands.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

House bill No. 61, entitled

A bill to authorize the fifth ward of the city of Grand Rapids, to assess and collect certain moneys for school purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cook,

Mr. Freeman,
Gargett,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry, Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,

Mr. Pendill,
Piper,
Porter,
Rankin,
Raymond,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinham,

Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
H. Miller,
J. G. Miller,
E. G. Morton,
H. C. Morton,
Parsons,

Toll,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
White,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

81

0

NAYS.

Tille agreed to.

Senate bill No. 6, entitled

A bill to amend section 4115 of the compiled laws of the State of Michigan, it being section 9, of chapter 91, of the revised statutes of 1846,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr Abbott,
Barnes,
Betts,
Bliss,
Buell,
Cobb,
Cook,
Crane,
Crego,
Davis,
Deare,
Dockeray,
Dow,
Fellows,
Fifield,
Fowle,

Mr. Freeman,
Harmon,
H. A. Hayden,
Haze,
Hemingway,
Howard,
Howell,
Jenison,
Keeney,
Lockwood,
H. Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Rankin,
Raymond,
Slofer,
Spencer,
G. A. Smith,
T. G. Smith,
Aura Smith,
Sweezay,
Voorheis,
Warner,
Welch,
Weatherby,
Wheeler,
Woodman,
Woodworth, 48

NAYS.

Mr. Aldrich,
Allen,
Bentley,
Bowen,
Burt,

Mr. Griswold,
Grosebeck,
Henry Hayden,
Hodgkinson,
Hood,

Mr. Sprague,
Stewart,
Thayer,
Thomas,
Tinham,

Clark,
Congdon,
Denman,
Eldredge,
Gargett,
Green,
Grinnell,

Littlejohn,
Mason,
McKernan,
J. C. Miller,
John Miller,
Porter,

Toll,
White,
Williams,
Wilson,
Winans,
Speaker,

34

House bill No. 60, entitled

A bill to provide for laying out and establishing a State road, commencing on the west line of section 19, in township 5 north, of range 15 west, in the county of Ottawa, to Scholte's bridge, in said township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cook,
Cowan,
Crane,
Crego,
Davis,
Deare,
Deftman,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Lockwood,
Mallery,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Parsons,

Mr. Pendill,
Piper,
Porter,
Rankin,
Raymond,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Anra Smith,
Stewart,
Swezey,
Thayer,
Tinham,
Toll,
Voorheis,
Welch,
Weatherby,
Wheeler,
White,
Wilson,
Winans,
Winsor,
Woodman,
Woodworth,
Speaker,

79

NAYS.

Title agreed to.

On motion of Mr. Howard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 54, entitled

A bill to provide for recording United States internal revenue stamps affixed to instruments, authorized by law to be recorded,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Gargett,	Mr. Parsons,
Allen,	Green,	Pendill,
Barnes,	Grinnell,	Piper,
Bentley,	Griswold,	Rankin,
Bliss,	Grosebeck,	Raymond,
Bowen,	Harmon,	Spencer,
Burt,	H. A. Hayden,	Sprague,
Clark,	Henry Hayden,	G. A. Smith,
Congdon,	Haze,	Sweezey,
Cook,	Hemingway,	Thayer,
Cowan,	Hodgkinson,	Tinham,
Crane,	Hood,	Toll,
Davis,	Howard,	Voorheis,
Deare,	Lockwood,	Warner,
Denman,	Mallary,	Welch,
Dockeray,	Mason,	Weatherby,
Dow,	McKernan,	Wheeler,
Eldredge,	H. Miller,	White,
Fifield,	J. C. Miller,	Winans,
Fitch,	John Miller,	Woodman,
Fowle,	E. G. Morton,	Woodworth,
Freeman,	Mosher,	Speaker,

66

NAYS.

Mr. Howell,	Mr. Littlejohn,	Mr. Williams,
Jenison,	Slafter,	Wilson,
Keeney,	Aura Smith,	

8

Title agreed to.

Mr. Hemingway moved that the bill be ordered to take immediate effect.

On motion of Mr. Welch,

The House adjourned till this evening, at 7 o'clock.

EVENING SESSION.

7 o'clock P. M.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

Mr. Howell moved that the regular order of business be suspended, and that the business of the evening be confined exclusively to the introduction of bills and joint resolutions;

Which motion prevailed.

By unanimous consent, the committee on State affairs submitted the following report:

The committee on State affairs, to whom was referred

A resolution instructing the committee to inquire if any amendment is desirable to the existing law authorizing the State Treasurer to loan the money of the State,

Respectfully report that they have had the subject under consideration, and find that the present law requires the State Treasurer to loan the funds of the State at a rate of interest not less than five per cent. At the present time, owing to the financial condition of the country, the State Treasurer informs your committee that he is unable to obtain the rate of interest now fixed by law. In order to relieve the Treasurer from his embarrassment, your committee would therefore submit the accompanying bill, entitled

A bill to amend section 8, of chapter 7, of the compiled laws,

And recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Spencer, unanimous consent being given, introduced

A bill to provide for the construction of a road in Ionia county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Cobb, unanimous consent being given, introduced

A bill making sundry appropriations for the Michigan Asylum for the Insane.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Jenison, unanimous consent being given, introduced

A bill to provide for the construction of a State road in the county of Clinton.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Littlejohn, unanimous consent being given, introduced

A bill to change the name of the township of Lee, in the county of Allegan, to Hooker.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Littlejohn, unanimous consent being given, introduced

A bill to amend an act entitled an act relative to laying out, altering and discontinuing highways, the same being act No. 103, session laws of 1861, approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Clark, unanimous consent being given, introduced

A bill to repeal act No. 129, of the session laws of 1859, approved February 12, 1859, being an act entitled an act to amend section 3, chapter 9, of the act entitled an act to revise the charter of the city of Detroit, approved February 5, 1859.

The bill was read a first and second time, by title, and referred to the committee on banks and incorporations.

Mr. Welch, unanimous consent being given, introduced

A bill to provide for the construction of a State road from Muir, in Ionia county, to intersect the Ionia and Houghton Lake State road, in the county of Clare.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. H. C. Morton, unanimous consent being given, introduced
A bill to authorize the township of St. Joseph, and other townships in the county of Berrien, to make loans and levy taxes for the improvement and construction of the harbor at St. Joseph, in said county.

The bill was read a first and second time by its title, and referred to the committee on harbors.

Mr. McKernan, unanimous consent being given, introduced
Joint resolution asking an appropriation of the government for the improvement of rivers and harbors of Lake Superior.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. McKernan,

The joint resolution was laid on the table.

Mr. Allen, unanimous consent being given, introduced
A bill relative to the manufacture of wagons to be used on the highways in this State.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. E. G. Morton, unanimous consent being given, introduced
A bill to appropriate swamp lands to the county of Monroe to aid in the construction of ditches.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Pratt, unanimous consent being given, introduced
A bill in relation to voluntary assignments, and to compel assignees to give security.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. T. G. Smith, unanimous consent being given, introduced
A bill making an appropriation for the support of the Michigan Asylum for the Deaf and Dumb and the Blind, at Flint, and for completing certain portions of the building thereof.

The bill was read a first and second time by its title.

On motion of Mr. T. G. Smith,

The bill was laid on the table.

Mr. Sherman, unanimous consent being given, introduced

A bill to authorize the district or circuit judge of the Upper Peninsula, to settle private land claims in the village of Ontonagon, according to act of Congress.

The bill was read a first and second time by its title, and,

On motion of Mr. Howell,

The bill was laid on the table.

Mr. Gaylord, unanimous consent being given, introduced

A bill to amend section 16, of chapter 194, of the compiled laws, entitled of the arrest and examination of offenders committed for trial and taking bail.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Cook, unanimous consent being given, introduced

A bill to legalize the action of the township of Sheridan, of the county of Calhoun, in raising bounties for volunteers.

The bill was read a first and second time by its title, and,

On motion of Mr. Cook,

The bill was laid on the table.

Mr. Sherman, unanimous consent being given, introduced

A bill to authorize and require the board of supervisors of the county of Ontonagon to levy a tax to refund to the court house fund of said county, money paid out for soldiers bounty.

The bill was read a first and second time by its title, and,

On motion of Mr. Sherman,

The bill was laid on the table.

Mr. Read, unanimous consent being given, introduced

A bill to provide for laying out and establishing the Elk Rapids, Milton, and Thunder Bay State road, and appropriating lands therefor.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Freeman, unanimous consent being given, introduced

A bill to provide for the construction of a road in the counties of Clinton and Gratiot.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Sherman, unanimous consent being given, introduced Joint resolution asking Congress to change the grant of land from the Ontonagon State line railroad to the Otonagon State line military road.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Sherman,

The joint resolution was laid on the table.

Mr. Woodworth, unanimous consent being given, introduced A bill to provide for the construction of a ditch through certain swamp lands, in the township of Lee, Calhoun county, and making appropriation therefor.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. H. A. Hayden, unanimous consent being given, introduced

A bill to authorize the city of Jackson, and several townships of Jackson county, to pledge their credit to aid in the construction of a railroad from Jackson to Lansing.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Howell, unanimous consent being given, introduced Joint resolution asking Congress to denote lands to endow Female Colleges in the several States.

The joint resolution was read a first and second time by its title, and referred to the committee on education.

Mr. Parsons, unanimous consent being given, introduced

A bill to permit the State to form itself into one school district.

The bill was read a first and second time by title, and referred to the committee on the judiciary.

Mr. Howell moved that the House adjourn;

Which motion did not prevail.

Mr. Griswold, unanimous consent being given, introduced

A bill making an appropriation for the support of the State Prison.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Welch moved that the House adjourn;

Which motion did not prevail.

Mr. White, unanimous consent being given, introduced

A bill to secure to the State of Michigan her portion of the negroes bought of the several States.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. McKernan offered the following:

Resolved, (the Senate concurring,) That we, the Representatives of the people of Michigan, in Legislature assembled, announce, as our firm conviction, that Wayne and Washtenaw counties are the life-spring and sole sustaining element of our great and noble State; that without said counties we never could sustain our State government, or have any choice or fit spot of earth on which to locate the noble institutions of our State; that we believe the citizens of Wayne county board people cheaper, give them better accommodations, and that the female portion of the community is more numerous and better looking, and can appreciate more fully the high honor which our constituents demand for us from the State at large, and therefore we believe it is for the interests of the people of the State that the Capital should be located at some point in Wayne county; that believing, as we firmly do, that the people of Washtenaw county are a more enlightened people; that their land is better, and embraces more to the acre—will raise bigger turnips, and vegetables generally—and that the inhabitants thereof are never troubled with any of the foul, bilious diseases with which God infests the other swampy and non-productive portions of the State; and assured, as we are, that the air has a healing and restorative tendency, in and around Ann Arbor city, we, the people's Representatives, believe it would be for the best interests of the State, and that portion of her population who

are so unfortunate as to be insane, deaf, dumb or blind, to have the institutions of the State, created for the benefit of this unfortunate class of her people, located at Ann Arbor, in order that they may have the advantages possessed alone, by Washtenaw county; that in order to give the youth of our State the advantages of mingling with the enlightened and highly educated citizens of Ann Arbor, and Washtenaw county generally, we believe it would be for the best interests of the whole people of the State, that all our Seminaries, and Colleges of learning, should be located at the city of Ann Arbor, and that we recommend an immediate removal of all such institutions, now in the State, to that city. And believing, as we do, that the University of Michigan has the capacity and ability to take care of and support all the non-paying and expensive institutions of the State, and can better appreciate good things than any other institution of the State, owing to the great wisdom of its noble Board of Regents, we, therefore, the people's Representatives, legislating for the benefit of the entire people, believe it would be for the good of the whole people of the State, and an immense saving, financially, to have the State Prison, State Reform School, and State Agricultural College, attached to the University, and that said University should at once receive the donation of lands, now tendered by the General Government. Finally, believing that the State has made a good thing by locating the Capital at Lansing, having sold a school section for \$125,000, worth \$2,500, previous to the location of the Capital at said town, and having sold other State lands, contiguous to said town of Lansing, at a good figure; and believing, as we do, that the State has made all she can by such location of the Capital, we believe it would be for the good of the whole people of the State, to remove said Capital to some other location, in order that said State may receive further benefit from the sale of the public lands. In conclusion, we believe Wayne and Washtenaw counties are "some;"

Laid on the table for one day, under the rules.

Mr. G. A. Smith moved to re-consider the vote by which the House suspended the order of business for the evening;

Which motion did not prevail.

Mr. Howell, unanimous consent being given, introduced
A bill taxing bachelors.

The bill was read a first and second time by its title, and referred to the committee on geological survey.

Mr. Hemingway moved that the House adjourn;

Which motion did not prevail.

Mr. Spencer, unanimous consent being given, introduced
A bill increasing the rate of taxation on the several railroads of this State.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

On motion of Mr. Welch,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Thursday, February 26, 1888.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Burgess.

Roll called: quorum present.

Absent without leave, at roll call, Mosher, Cook, Parsons, Sherman, Spencer and Winans.

Mr. Hemingway asked and obtained leave of absence for Mr. Cook, for an indefinite time, on account of sickness.

Mr. Mosher asked and obtained leave of absence for Mr. Parsons, for an indefinite time, on account of sickness.

Mr. Pendill asked and obtained leave of absence for Mr. Sherman, for an indefinite time, on account of sickness.

Mr. Spencer asked and obtained leave of absence for Mr. Welch, for an indefinite time, on account of sickness.

Mr. Harmon asked and obtained leave of absence for Mr. Winans, for an indefinite time.

PRESENTATION OF PETITIONS.

By Mr. Crego: remonstrance of P. W. Palmer and 38 others, citizens of Brooklyn, Jackson county, against the passage of House bill No. 50, relative to insurance;

Also, remonstrance of E. S. Robinson and 36 others, citizens of Waterloo, Jackson county, against the passage of House bill No. 50, relative to insurance;

Also, remonstrance of Abram Rhines and 34 others, citizens of Spring Arbor, Jackson county, against the passage of House bill No. 50, relative to insurance;

Also, remonstrance of O. A. Green and 26 others, citizens of Napoleon, Jackson county, against the passage of House bill No. 50, relative to insurance;

On motion of Mr. Crego,

The remonstrances were laid on the table.

By Mr. Weatherby: remonstrance of Chas. Mason, Albert Chandler, F. V. Smith, and 185 others, citizens of Branch county against the passage of House bill No. 50, relative to insurance;

On motion of Mr. Weatherby,

The remonstrance was laid on the table.

By Mr. Piper: remonstrance of John Fisher, E. Tinsdale, Robert Carnes, I. S. Strong, J. I. Hough, and 237 others, against the passage of House bill No. 50, relating to insurance;

On motion of Mr. Dow,

The remonstrance was laid on the table.

By Mr. Crane: remonstrance of F. I. Buck Henry I. Smith, and 87 others, of the county of Lenawee, against the passage of House bill No. 50, relative to insurance companies;

On motion of Mr. Crane,

The remonstrance was laid on the table.

By Mr. Wheeler: remonstrance of Edward S. Moore, Daniel Francisco, and 72 other citizens of St. Joseph county, against the passage of House bill No. 50, in relation to insurance companies;

On motion of Mr. Dow,

The remonstrance was laid on the table.

By Mr. Mosher: remonstrance of David H. Lord and 129 others, of Hillsdale, against the passage of House bill No. 50, in relation to insurance companies;

On motion of Mr. Mosher,

The remonstrance was laid on the table.

By Mr. Raymond: remonstrance of Simeon Davidson, Daniel Warring, George W. Ketcham, Peter Sharp, and 110 others, electors of Lenawee county, against the passage of House bill No 50, with regard to insurance;

Also, remonstrance of Richard Kent, Warner M. Comstock, A. G. Eastman, and 109 others, against the passage of House bill No. 50, in regard to insurance;

On motion of Mr. Raymond,

The remonstrances were laid on the table.

By Mr. Pratt: petition of S. P. Wormly and 71 others, citizens of Calhoun county, for a tax on dogs.

On motion of Mr. Pratt,

The petition was laid on the table.

By Mr. Combes: remonstrance of P. R. Adams and 44 others, against the passage of House bill No. 50, relating to insurance.

On motion of Mr. Combes,

The remonstrance was laid on the table.

By Mr. Gaylord: remonstrance of John Moore, N. Barnard, H. L. Miller, and 58 others, citizens of Saginaw county, against any declaration of forfeiture of the grants of lands to the Amboy, Lansing and Traverse Bay, and Flint and Pere Marquette Railroad Companies;

On motion of Mr. Gaylord,

The remonstrance was referred to the select committee on the Upper Peninsula.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to revise the charter of the city of St. Clair,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

Mr. Howell moved that the bill be placed on the order for third reading.

Mr. John Miller moved that the bill be re-committed to the committee on banks and incorporations, with instructions to so amend the bill as to allow the city of St. Clair but two supervisors;

The motion was withdrawn.

Mr. Howell moved that the bill be made the special order for to-morrow morning at 11 o'clock;

Which motion prevailed.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, signed and presented to the Governor, the following joint resolutions and bills:

1. Joint resolutions on the State of the Union;
2. A bill to authorize the common council of the city of Lansing to levy taxes for city purposes, for the year 1862, and to extend the time for the collection of taxes in said city;
3. A bill to amend act number one hundred and thirty, session laws of eighteen hundred and fifty-nine, approved February 12th, being an act entitled an act to provide for the improvement of Bridgeport and Forestville State road;
4. A bill to repeal section 2, of act No. 106, of the session laws of 1840, entitled an act relative to common schools, and for the payment of the claim of Thomas Beals, and for other purposes, approved April 1st, 1840;
5. A bill to legalize the apportionment of State and county taxes, for the year 1862, in the county of Huron, and to extend the time for collecting the same;

6. A bill to amend an act entitled an act to revise and amend the charter of the city of Saginaw, approved February 5th, 1859;

7. A bill to authorize the president and trustees of the village of Romeo, in the county of Macomb, to organize under the general law for the incorporation of villages;

8. A bill to authorize school district number four, of the township of Decatur, in the county of Van Buren, to issue bonds.

CHAS. BETTS, *Chairman*.

Report accepted:

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to appropriate the non-resident highway taxes for the improvement of the Detroit and Grand River road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill No. 12, fixing the compensation of township treasurers,

Respectfully report that they have had the same under consideration, and have made sundry amendments thereto, and have directed me to report the same back to the House, with the recommendation that the bill, as amended, do pass, and ask to be discharged from the further consideration of the same.

H. MILLER, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to extend the line and to change the name of the St. Ignace and Millokoka State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 24, 1868.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to authorize the Governor of the State to convey certain real estate,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to organize the county of Leelenaw, and define the county of Benzie;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to inform the House that Senators Croswell, Lamb and Robertson have been appointed a committee on the part of the Senate to confer with the committee of the House, relative to the disagreement between the two Houses on an amendment made to House bill No. 24, entitled

A bill to provide for the election and classification of Regents of the University.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bills:

1. A bill to amend section 22, of chapter 183, of the revised statutes of 1846, it being section 5841 of the compiled laws;

2. A bill to amend section 160, of chapter 17, of the compiled laws, being No. 940 of the compiler's sections;

3. A bill to authorize judges of probate, and county clerks, to administer oaths, and certify the same;

4. A bill to continue in force the provisions of an act entitled an act appropriating certain taxes for the improvement of a road in the county of Van Buren, approved February 11, 1859, and to amend section 2 of said act;

5. A bill to amend section 4 of an act to provide for the establishment of school district libraries, approved February 15, 1859, relative to the purchase of library books;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

The third named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The fourth named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The fifth named bill was read a first and second time by its title, and referred to the committee on education.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Woodman moved to take from the table, House joint resolution No. 2, entitled

Joint resolution tendering the thanks of the State to Michigan soldiers now in the field;

Which motion prevailed.

On motion of Mr. Woodman,

The joint resolution was placed on the order of third reading.

Mr. Warner moved that House bill, entitled

A bill to provide for uniting the State Agricultural College with the University,

Be taken from the table;

Which motion prevailed.

On motion of Mr. Warner,

The bill was referred to the joint committee on education and agriculture.

Mr. Warner moved that House bill, entitled

A bill to provide for the re-organization of the Reform School, and for making certain grants thereto,

Be taken from the table;

Which motion prevailed.

On motion of Mr. Warner,

The bill was referred to the committee on education and agriculture.

Mr. Dockeray moved that the committee of the whole be discharged from the farther consideration of House bill No. 145, entitled

A bill to legalize the proceedings of the First Baptist Church and Society, of Laphamville, Kent county;

Which motion prevailed.

On motion of Mr. Dockeray,

The bill was placed on the order for third reading.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Being Senate joint resolution No. 6, entitled

Joint resolution of thanks to the Michigan regiments and batteries in the field.

The joint resolution was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,

Mr. Freeman,
Gargett,

Mr. Piper,
Porter,

Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Cowan,
Crane,
Crege,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
J. C. Miller,
John Miller,
E. G. Morton,
Mosher,

Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinham,
Voorheis,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker, 81

NAYS.

0

Title and preamble agreed to.

House bill No. 145, entitled

A bill to legalize the proceedings of the First Baptist Church
and Society of Laphamville, Kent county,

Was read a third time and passed, a majority of all the mem-
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bowen,
Buell,
Burt,
Clark,
Cobb,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
Harmon,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,

Combes,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Hood,
Howard,
Jenison,
Keeney,
Littlejohn,
Lockwood,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
E. G. Morton,
H. C. Morton,
Mosher,
Pendill,
Piper,

Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinhum,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

83

NAYS.

0

Title agreed to.

On motion of Mr. Dockeray,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

UNFINISHED BUSINESS,

Being the consideration of the following concurrent resolution:

Resolved, (the Senate concurring,) That the State Printer be and is hereby directed to print a sufficient number of copies of House bill No. 52, as amended by the Senate, and concurred in by the House, the same being "A bill to legalize the action of townships and counties in raising bounties for volunteers," and mail one copy of said act to each supervisor and township clerk of each township, and to the mayor and city clerk of each city, without delay.

The resolution was adopted.

SPECIAL ORDER.

On motion of Mr. Wheeler,

The House went into committee of the whole on the special order,

Mr. Stewart in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bill:

A bill to amend section 5 of an act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

EDWIN STEWART, *Chairman.*

Report accepted, and leave granted the committee to sit again.

MESSAGE FROM THE SENATE.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to re-incorporate the village of Buchanan; and to repeal all inconsistent acts and parts of acts,

And to inform the House that the Senate has amended the same by striking out the word "first," in the first line of section 2, and inserting the word "second;"

Also, by striking out all of section 31;

Also, by striking out all in the 56th line of the 7th section, after the word "fit," and all in the 57th line of the same section to and including the word "roads;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Howell moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gargett,	Mr. Porter,
Aldrich,	Gaylord,	Pratt,
Allen,	Green,	Rankin,
Barnes,	Griswold,	Raymond,
Bentley,	Grosebeck,	Read,
Betts,	Harmon,	Slafter,
Bliss,	H. A. Hayden,	Spencer,
Bowen,	Henry Hayden,	Sprague,
Buell,	Haze,	G. A. Smith,
Burt,	Hemingway,	T. G. Smith,
Clark,	Hodgkinson,	Abram Smith,
Cobb,	Hood,	Aura Smith,
Combes,	Howard,	Stewart,
Cowan,	Howell,	Sweezey,
Crane,	Jenison,	Tinham,
Crego,	Keeney,	Toll,
Davis,	Littlejohn,	Voorheis,
Deare,	Lockwood,	Warner,
Denman,	Mallary,	Weatherby,
Dockeray,	Mason,	Wheeler,
Dow,	McKernan,	White,
Eldredge,	H. Miller,	Williams,
Fellows,	J. C. Miller,	Wilson,
Fifield,	John Miller,	Winsor,
Fitch,	H. C. Morton,	Woodman,
Fowle,	Mosher,	Speaker,
Freeman,	Pendill,	

NAYS.

Mr. Deare moved that the House take a recess until this afternoon at 2 o'clock;

Mr. Howell moved that the House adjourn;

Mr. Tinham demanded the yeas and nays;

The demand was not seconded.

The motion to adjourn, prevailed.

Lansing, Friday, February 27, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Heagle.

Roll called: quorum present.

Absent, without leave, at roll call, Messrs. Harmon and E. G. Morton.

Mr. Woodman asked and obtained leave of absence for Mr. Harmon, until Tuesday next.

Mr. Keeney asked and obtained leave of absence for Mr. E. G. Morton, until Tuesday next.

PRESENTATION OF PETITIONS.

By Mr. Dockeray: petition of Thomas Spencer and 80 others, residents of the township of Spencer, Kent county, in favor of the passage of an act authorizing F. Van Wickle to maintain a mill dam on section 25, in said township;

Referred to the committee on banks and incorporations.

By Mr. Read: petition of Wm. Best, C. Tiffany, and 70 other citizens of the township of Brady, in Kalamazoo county, praying that said town may be authorized to assess a tax to repay bounty, paid to encourage the enlistment of volunteers;

On motion of Mr. Read,

The petition was laid on the table.

By Mr. H. A. Hayden: remonstrance of John Wilson and 87 others, of Springport, Jackson county, against the passage of House bill No. 50, relative to insurance companies;

Also, remonstrance of E. E. Prescott and 93 others, of Henrietta, Jackson county, against the passage of House bill No. 50, relative to insurance companies;

On motion of Mr. Dow,

The remonstrances were laid on the table.

By Mr. Fifield: petition of Henry Waldron, A. B. Hadsell, and 106 others, citizens near to and in the city of Pontiac, asking for the repeal of act No. 191, of session laws of 1861, being an act to enlarge union school district No. 2, of Pontiac;

Also, petition of Mrs. Wisner, Augustus C. Baldwin, and 5 others, citizens of Pontiac, Oakland county, for the same purpose;

Referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 53, entitled

A bill to amend section 160, of chapter 17, of the compiled laws, being No. 940 of the compiler's sections, relative to the duties of the Commissioner of Land Office and county treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman*

Report accepted and committee discharged.

On motion of Mr. Read,

The bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 46, entitled

A bill to continue in force the provisions of an act entitled an act appropriating certain taxes for the improvement of a road in the county of Van Buren, approved February 11, 1859, and to amend section 2 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred senate bill No. 48, entitled

A bill to amend an act entitled an act to amend section 14, of compiled laws, in relation to the duties of commissioners of highways, approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred senate bill No. 49, entitled

A bill appropriating certain non-resident highway taxes for the improvement of a road, in Van Buren county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred several swamp land road bills,

Have considered the same, and have directed their chairman to report a substitute for the several bills, entitled

A bill to provide for the drainage of swamp lands, by means of State roads and ditches,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 2011 and 2024 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act giving the circuit court jurisdiction, in actions of ejectment, approved April 2, 1859, being section 4615, of the compiled laws, by adding a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to stay the forfeiture of recognizances in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1, chapter 42, title 15, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 65, of the revised statutes of 1846, being chapter 88 of the compiled laws, entitled of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill in relation to voluntary assignments, and to compel assignees to give security,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relative to proceedings in the Supreme Court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to organize the county of Antrim,

Respectfully report that they have had the same under consideration and have directed me to report that, according to the decision of the Supreme Court, there is no constitutional objection to detaching the territory from the county of Grand Traverse proposed in the bill, as it will leave still in said county of Grand Traverse, sixteen townships, whole and fractional, and your committee recommend that the bill, petitions and remonstrances be referred to the committee on towns and counties, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in, and the bill was referred to the committee on towns and counties.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws, as amended by act number 189, of the session laws of 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4815 of the compiled laws, being section 78, of chapter 102, of the revised statutes of 1846, relative to documentary evidence,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 16, of chapter 194, of the compiled laws, entitled of the arrest and examination of offenders, commitment for trial, and taking bail,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 52, being

A bill to amend section 22, of chapter 133, of the revised statutes of 1846, it being section 5841 of the compiled laws, relative to extortion by public officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and

ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed Senate bill No. 11, being

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two,

With instructions to amend the bill so that the maximum of the amount paid as salaries to judges of probate, shall not exceed the sum of \$1,500 in any one year, in any county in this State, except the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, amended in accordance with said instructions, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Tinham,

The House concurred in the amendment made by the committee.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Marshall, approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations: •

The committee on banks and incorporations, to whom was referred

A bill to authorize the city of Jackson, and several townships of Jackson county, to pledge their credit to aid in the construction of a railroad from Jackson to Lansing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. A. Hayden,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to repeal act No. 112, of the session laws of 1859, being an act to incorporate the village of Paw Paw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was placed on the order of third reading

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 50, being

A bill to amend an act entitled an act to incorporate the village of Hudson, approved February 12, 1853,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Green,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Coldwater, approved Feb. 28, 1861;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Weatherby,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Peshtigo Company, of Wisconsin to construct dams across the Menominee river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of L. J. Ford and 64 others, resident taxpayers of the county of Wayne, asking the repeal of act No. 129, of the session laws of 1859, together with

A bill to repeal act No. 129 of the session laws of 1859, being an act entitled an act to amend section 8, chapter 9, of the act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman*.

Report accepted and committee discharged.

The petitions were laid on the table.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend an act entitled an act to amend certain sections of the Primary School law, approved February 15th, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate bill No. 45, being

A bill to authorize the payment of a State bounty to volunteers mustered from this State into the military service of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Williams,

The House concurred in the amendments made by the committee.

On motion of Mr. Woodman,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the education of wounded and disabled soldiers that have been, or shall be engaged in suppressing the present rebellion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

Also, petition of Mrs. Wisner, Augustus O. Baldwin, and 56 others, citizens of Pontiac, Oakland county, for the same purpose;

Referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill No. 53, entitled

A bill to amend section 160, of chapter 17, of the compiled laws, being No. 940 of the compiler's sections, relative to the duties of the Commissioner of Land Office and county treasurers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Read,

The bill was placed on the order of third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 46, entitled

A bill to continue in force the provisions of an act entitled an act appropriating certain taxes for the improvement of a road in the county of Van Buren, approved February 11, 1859, and to amend section 2 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 48, entitled

A bill to amend an act entitled an act to amend section 1014, of compiled laws, in relation to the duties of commissioners of highways, approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 49, entitled

A bill appropriating certain non-resident highway taxes for the improvement of a road, in Van Buren county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred several swamp land road bills,

Have considered the same, and have directed their chairman to report a substitute for the several bills, entitled

A bill to provide for the drainage of swamp lands, by means of State roads and ditches,

And recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend sections 2011 and 2024 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act giving the circuit court jurisdiction, in actions of ejectment, approved April 2, 1859, being section 4615, of the compiled laws, by adding a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to stay the forfeiture of recognizances in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1, chapter 42, title 15, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 65, of the revised statutes of 1846, being chapter 88 of the compiled laws, entitled of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill in relation to voluntary assignments, and to compel assignees to give security,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill relative to proceedings in the Supreme Court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to organize the county of Antrim,

Respectfully report that they have had the same under consideration and have directed me to report that, according to the decision of the Supreme Court, there is no constitutional objection to detaching the territory from the county of Grand Traverse proposed in the bill, as it will leave still in said county of Grand Traverse, sixteen townships, whole and fractional, and your committee recommend that the bill, petitions and remonstrances be referred to the committee on towns and counties, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The recommendations of the committee were concurred in, and the bill was referred to the committee on towns and counties.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 25, of chapter 153, of the revised statutes of 1846, the same being section 5735 of the compiled laws, as amended by act number 189, of the session laws of 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 4815 of the compiled laws, being section 78, of chapter 102, of the revised statutes of 1846, relative to documentary evidence,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 16, of chapter 194, of the compiled laws, entitled of the arrest and examination of offenders, commitment for trial, and taking bail,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 52, being

A bill to amend section 22, of chapter 133, of the revised statutes of 1846, it being section 5841 of the compiled laws, relative to extortion by public officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and

ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was re-committed Senate bill No. 11, being

A bill to amend an act entitled an act to amend chapter one hundred and fifty, of the revised statutes of one thousand eight hundred and forty-six, it being chapter one hundred and seventy-five of the compiled laws, and to authorize the salary of judges of probate, approved February fifteen, one thousand eight hundred and fifty-nine, and an act amendatory thereto, approved January seventeen, one thousand eight hundred and sixty-two,

With instructions to amend the bill so that the maximum of the amount paid as salaries to judges of probate, shall not exceed the sum of \$1,500 in any one year, in any county in this State, except the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, amended in accordance with said instructions, and ask to be discharged from the further consideration of the subject.

T. W. LOCKWOOD, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Tinham,

The House concurred in the amendment made by the committee.

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Marshall, approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations: •

The committee on banks and incorporations, to whom was referred

A bill to authorize the city of Jackson, and several townships of Jackson county, to pledge their credit to aid in the construction of a railroad from Jackson to Lansing,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. A. Hayden,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill, entitled

A bill to repeal act No. 112, of the session laws of 1859, being an act to incorporate the village of Paw Paw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodman,

The bill was placed on the order of third reading

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 50, being

A bill to amend an act entitled an act to incorporate the village of Hudson, approved February 12, 1853,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Green,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the city of Coldwater, approved Feb. 28, 1861;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Weatherby,

The bill was placed on the order of third reading.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize the Peshtigo Company, of Wisconsin to construct dams across the Menominee river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred the petition of L. J. Ford and 64 others, resident taxpayers of the county of Wayne, asking the repeal of act No. 129, of the session laws of 1859, together with

A bill to repeal act No. 129 of the session laws of 1859, being an act entitled an act to amend section 8, chapter 9, of the act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The petitions were laid on the table.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend an act entitled an act to amend certain sections of the Primary School law, approved February 15th, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate bill No. 45, being

A bill to authorize the payment of a State bounty to volunteers mustered from this State into the military service of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Williams,

The House concurred in the amendments made by the committee.

On motion of Mr. Woodman,

The bill was placed on the order of third reading.

By the committee on education:

The committee on education, to whom was referred

A bill to provide for the education of wounded and disabled soldiers that have been, or shall be engaged in suppressing the present rebellion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section 86, of chapter 78, of the compiled laws, the same being section 2329 thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed; referred to the committee of the whole, and placed on the general order.

By the minority of the joint committee on education, and the committee on agriculture and manufactures:

The minority of the joint committee on agriculture and education, respectfully report that they have had under consideration the affairs of the Agricultural College, and among other questions, a proposition to abandon the College, and establish in its stead a Department of Agriculture, in the University at Ann Arbor.

In discussing the question of removal, it is important to avoid the confusion of measures properly distinct. It is said that in abandoning the Agricultural College, the farm and buildings that have been purchased and constructed at so much expense, will not be lost to the State, as they can be used for a department of the Reform School. It is said that the removal would save to the State the appropriation asked for the expenses of the College, up to the time when sufficient funds would be derived from the late grant of Congress. These suggestions have no natural connection with the question, "shall the College be removed?" Our present action is

not confined to the spending or saving of a few thousand dollars, but bears directly, perhaps definitely, upon the proper foundation of an institution, destined before many years, to command a large income for the interests of the people of the State. The real question is, will the science and practice of agriculture be better promoted in an independent College, such as the Agricultural College now is, or in a Department at the University? and this question should stand apart from other issues, and be considered on its own merits.

The College has been in existence, in its present location, some six years. It has passed through, it is believed, that period of early struggling which observation proves, every institution of a like nature must experience. There has been obtained for it now, a munificent endowment from Congress and former Legislatures. Interests and sympathies have gathered around it in its present location, and it is believed that it would be unjust, to say nothing of the policy, to remove it now.

The policy of the government of the State has always heretofore been, and doubtless should hereafter continue to be, to distribute the various State institutions to the different parts of the State. It was this policy that induced the location of the State Prison at Jackson, when that place was new and insignificant as compared with Detroit. It was the same policy that gave the University to Ann Arbor; one Asylum to Flint, and the other to Kalamazoo; the Normal School to Ypsilanti; the Agricultural College to Lansing, and the like. And it may be safely calculated that as new institutions become necessary, they will be so distributed as to do justice to other parts of the State, and at the same time advance the interests of the whole. It cannot be justice or sound policy to concentrate all the institutions, even the educational institutions, at one place. A wise government will labor to develop every part of its territory. The new idea of "concentration and centralization" of all the insti-

tutions of education in the State, is not calculated to promote the interests of all sections, or work the greatest good to the greatest number.

The principle upon which the removal of this College to Ann Arbor is advocated, will, if adopted, be injurious to the prospects and interests of every other locality in the State not at present as fortunate.

If the Agricultural College ought to be removed to Ann Arbor, because of the great advantages of that place, then should not the Normal School, the College at Adrian, and those at Hillsdale, Olivet, and other places in the State, be removed to the University, for the same reason? Surely, the same reasoning applies to them.

The proposed policy of removal and of concentrating our institutions, is calculated to create uneasiness and alarm throughout the State, as its principle must be impolitic, unjust and ominous to the hopes of other sections.

The Agricultural College has been in operation as one of the established educational institutions of the State, and should not be disturbed, except for the best of reasons.

In discussing the question of removal, several propositions are to be considered:

1. Can the course of agricultural education be better pursued in a department at Ann Arbor, than in the independent Agricultural College?

2. Will a dependent department at Ann Arbor gain more agricultural students than the independent Agricultural College?

3. Which plan will prove most advantageous to the agricultural interests of the State?

4. Which plan will, in the end, be the cheapest?

Upon the first, second and third questions, the undersigned have no doubt. They think the great interests of agriculture demand an independent Agricultural College, and that such an Institution alone can meet the wants of community and accomplish the objects intended.

As agriculture is but the application of several other sciences, growing out of chemistry, geology, meteorology, mechanics, &c., the first thought might be, that a professorship or two, in Colleges where these sciences are pursued, would answer all requirements for a thorough agricultural education; but a further inquiry would, prior to any trial, give rise to serious doubts as to the policy of such a connection. First, agriculture is so complicated an art, depends for its highest exercise on so various a knowledge, that the course of a student's study should, for several years, be pursued with distinct reference to it. Again, the successful prosecution of agriculture requires that the habit of manual labor shall not be discontinued during the period when an education is acquiring. This daily labor is a habit discordant with the general habits of students, at least as an essential thing, is a variation from the usual discipline of College life.

Our first inquiry would naturally be, after the experience of other Institutions, and the counsels of men who have given their attention to the subject. The advice of such men is almost unanimous in favor of independent Agricultural Schools. A report concerning Agricultural Colleges was made some years since to the Legislature of Massachusetts, by a commission appointed for the purpose. It was written by Dr. Edward Hitchcock, the learned geologist and educator, who spent several months in the examination of English and European Agricultural Schools. Governor Andrew, in his late message to the Legislature of Massachusetts, styles it "the excellent and elaborate report of Professor Hitchcock, comprising the results of his learned researches, and survey of the Agricultural Institutions of Europe." Dr. Lee, of the Patent Office, speaks of it as *exhaustive*.

The following are extracts from that report:

"VI. *European Agricultural Schools have taught us some important lessons.*

"6. That agricultural professorships, in Colleges and Uni-

versities, are not sufficient. 1. Because lectures of this sort attract but few of the students of the Colleges, who are looking forward to professional life. Such is certainly the case everywhere in Europe. 2. Because the two classes of students, who would thus be brought together, would have a little sympathy to act in concert, and as equals, in the same Institution. 3. Because, without such concert and sympathy, one or other of the classes of students would feel no pride in the Institution; and without such an *esprit de corps* it could not prosper. 4. Because such professorships, unless numerous, would be entirely insufficient to accomplish the objects desired.

“IX. *We learn, from European experience, that independent Agricultural Institutions are essential to accomplish the object which is aimed at.*

“1. Because the field is wide enough to require such establishments. The principles of agriculture are based upon a large part of the physical sciences; and it requires a good literary education to understand those sciences. No man can understand the *principles* of farming, who is not more or less acquainted with chemistry, anatomy, physiology, botany, mineralogy, geology, meteorology, and zoology; and then the practical part requires an extensive acquaintance with various branches of mathematics and natural philosophy. Many important principles of agriculture can, indeed, be taught in the primary schools, or academy; but there should be, somewhere, institutions of a higher character, entirely devoted to a thorough instruction and investigation of the science of the subject.

“2. Because it demands extensive collections, of various kinds, in order to elucidate the principles of husbandry; enough, indeed, to belong to any scientific institution, and too many to form a mere subordinate branch of some institution with a different object in view.

“3. Because the number of institutions must be so large,

that they could not conveniently form an adjunct to some other institution.

“4. Because the interests of agriculture are large enough to demand an institution definitely consecrated to their promotion. No other art is so important, and I may add, no other is so difficult to be successfully cultivated; and, therefore, every means possible should be employed to render it assistance.

“1. Many of the principles of agriculture are, indeed, themselves yet unsettled; but a great many are settled, of which our farmers are yet ignorant, or know them only imperfectly. To explain and illustrate these, will be the grand business of agricultural schools. Hence, it is the sons of farmers who would be most interested in attending them. But there are many others, who desire to prepare their sons for agricultural pursuits; at least, to enable them to oversee farming establishments, if not to labor with their own hands; and they would find such schools a most important auxiliary to their success.

“2. In such schools our youth would find an excellent opportunity of learning the best method of conducting the practical operations of the farm; in other words, of seeing theory reduced to practice. They would learn, also, how to labor with their own hands, for I take it such a requisition would be indispensable in these schools. And thus might we hope that practical farming would become more popular, as it should be, among all classes of the community.

“3. These schools would form centres of information on the subject of agriculture, and from them our farmers could derive important aid. They would keep in communication with similar institutions throughout the world, and thus would learn all that might be new or important in husbandry, and spread it through the community.

“*But what shall be the character of the Agricultural Schools?* This difficult inquiry I would meet by a few suggestions. But after the survey that has now been taken of agricultural education in Europe, it cannot be expected that I should

recommend, or that the community will be satisfied, with schools of an inferior class. Twenty, or even ten years ago, it might have answered to propose the introduction of agriculture into our primary schools, or as a department in our academies, or a professorship in our colleges. All this it may be well enough to do now, but something more must be done. So Europeans judge, and accordingly, as we have seen, they have started institutions with as ample a foundation, and as numerous a body of instructors, as we find in most of our American colleges. Nothing short of this, as it seems to me, will be sufficient for our country; nay, I fancy that at least one such superior institution is needed in each of our States. The work to be done is too great, the number of teachers is too many, and the amount of various collections too large, to attempt to attach an agricultural school to some other institution, and that too, as only a subordinate branch. Even if agriculture is taught in our colleges, academies, and primary schools, it needs some one institution devoted entirely to the subject, to give effect and completeness to the subordinate teaching, and to carry it still farther; otherwise the agricultural knowledge will be as the literary would be, if the universities and colleges of the land were taken out of the way, and only the primary schools and academies remained.

“ But though our community, as I believe, especially the intelligent farmers, are prepared to appreciate the importance of such superior institutions, I fear that but few are ready to devote the amount of funds requisite for putting such a seminary at once into full operation. Nay, none but those who have had experience know how large an amount of money it requires, with the strictest economy, to found and carry on successfully a large institution of learning. My hope is, however, that the government and the people will start this enterprise, if they do it at all, with a high standard in view, even though they cannot, till a considerable period, reach the height of their wishes.”

Governor Andrew, of Massachusetts, in his late address to the Legislature, advises them to unite the fund arising from the grant of Congress to the Bussey endowment, making it necessary to have the course of agricultural instruction given in Roxbury, several miles distant from Cambridge, the seat of Harvard University. The farm at Roxbury consists of over two hundred acres of land.

Professor James F. W. Johnston fills the chair of agricultural chemistry in Durham University, England, and is the author of an agricultural chemistry of high value.

In one of his lectures delivered before the New York State Agricultural Society, a few years since, he says:

“It has been proposed to attach agricultural departments to some of the colleges. To that there can be no objection; at the same time, any encouragement which the State may give to this kind of instruction, should be given to the one school by which all other schools will be regulated, when once you get it fairly organized.

“There is this difficulty in regard to attaching agricultural departments to existing colleges, that if this new department is under mere scientific men, the proper wants of farmers' sons will not be properly looked to. So sensible am I of this, that in the suggestions I made to the Legislature at New Brunswick, as to the mode of improving its agriculture, whilst I recommended an Agricultural School at Fredrickton, where there is a college, I have recommended that it should not be connected with the college, because they are not practical men, and are not calculated to give instruction to pupils intended for practical life. What is true there, is true all over the world. It is necessary that such a school should be in charge of men who understand agriculture, and the wants and wishes of agriculturists, and who know what should be done to improve both.”

Professor J. C. Holmes, formerly of the State Agricultural College, says:

“As we are able to judge from the past experience of

others, I think we may safely say, that if we expect to meet with success in establishment, continuance, and practical utility of an Agricultural School, it must stand separate and apart from all other institutions of learning, and upon a basis of its own.

“To teach thoroughly the science and practice of agriculture, must be the main object of the Institution, for our agricultural interest is paramount to all other interests in the State; therefore these teachings must not be made secondary or subservient to any other object.”

The committee on Agricultural College in the board of agriculture of the State of Maine, report, among other resolutions, the following:

“*Resolved*, That the fund arising from this fund (the grant of Congress,) will not be, in the opinion of this Board, more than sufficient for the suitable endowment of one efficient school of the kind contemplated.

“*Resolved*, That such a school should not be incorporated with, or appended to, any of the literary institutions of the State, because they are designed for, and adapted to, a different style of education and training, and also because a liability would thereby be incurred of an overshadowing influence from, or an absorption into, the institution to which it is attached.”

Professor L. R. Fisk, late of the State Agricultural College, after quoting and approving the above extracts from Dr. Hitchcock's report, in an address delivered before the last Legislature, remarks:

“It cannot be doubted, then, that the farmers of Michigan and the Legislature acted in accordance with the experience of European institutions, and principles that are almost self-evidently true, in providing for a separate and independent organization of the Agricultural College.”

Professor Fisk, in the able address referred to, again says, as we think, with truth and wisdom:

“Doubtless the agriculturists of Michigan who originated

the College, and insisted that it be made a separate institution, were governed by what they considered good and sufficient reasons.

“They unquestionably discovered the fact that from the nature of the case success could be obtained only by making Agriculture the central and leading idea of the institution; that to make it subordinate would inevitably crush out its life; that like the water of the outer circles of the maelstrom, it would be drawn to the engulfing centre, and be swallowed up and lost forever. Agriculture must be the grand nucleus around which all the parts revolve. It must be that in which the whole organization centres. It must be the heart of the Institution, the very sun of the system, with its light and heat, rather than the dependent satellite.

“Agriculture has far less attractions for the young than the professions. It is very seldom that the farm is chosen in preference to what are called the learned professions, if all are equally accessible. There is a degree of eclat attaching to the latter. There is more that is captivating in the name; and they offer higher assurances of speedy success, and seem to point out an easier road to distinction. It is well known with what eager steps our young men who have been favored with academic and collegiate instruction, press towards these professions. The charm may be a delusive one, but yet it has its hold upon the mind. The result is, and experience confirms the theory, that where these elements exist together in the same institution, the agricultural is absorbed and swallowed up by the others.”

The purposes of an Agricultural College show these conclusions to be true. These purposes are so well expressed in the address already referred to, that we again quote:

“1st. It will be a source of original knowledge. The experiments instituted cannot fail in time to advance the science of agriculture, both by revealing more successful methods of farming, and warning against those processes that are un-

profitable. Much light should originate from this source. With the cordial co-operation of intelligent farmers throughout the State, suggesting experiments and tests which would solve questions practically important; feeling that the Institution was founded to aid them, and that they are doing here, by proxy, that which it is often impossible for private farmers to furnish facilities to accomplish, by themselves; and being governed by enlightened views, we can unitedly make this Institution a guiding star to the farmers of the State. Farmers of Michigan, the College is yours, and it is in your power to make it eminently useful.

"2d. By the labors of the farm, the instructions of the lecture room may be illustrated and impressed on the mind. In gaining a knowledge of the scientific principles involved in agriculture, practice should never be separated from theoretical instruction. Young men should not only learn the principles, but they should be taught to apply them, and thereby they learn them more perfectly and in a wider sense.

"3d. The Institution furnishes extensive means of instruction in the scientific principles of farming. The truths, established by experiments prosecuted in different parts of the world, are presented; the student is made acquainted with those facts and laws of the mineral, vegetable and animal kingdoms, which throw any light on the philosophy of agriculture. Special facilities, such as Laboratory, Museum, Cabinet, Herbarium, Botanical Garden, are provided for imparting instruction, such as no farmers can derive from a private source.

"4th. Agriculture becomes ennobled by its association with study. Being the leading element in a college course in a State institution, it is invested with an importance, educationally, which is not usually awarded to it.

"5th. Manual labor is made honorable, and all become impressed with the idea that it is honorable. There is a feeling too prevalent among the young that it is dishonorable to labor. Here it is a positive requirement. It is indeed an

essential element in the success of the Institution, and all are taught too look upon it as a part of a great plan to accomplish an important work.

"6th. It will exert a strong influence in retaining educated young men in industrial pursuits. In almost every case, young men in college acquire a disinclination to labor, as well as a physical incapacity for labor. They are shut out from the laboring world; they do not mingle with it; they lose their sympathy for it; they are accustomed to regard themselves as occupying a peculiarly favored place above the laboring class. Hence they crowd what are called the learned professions, as presenting attractions peculiarly suited to their tastes. College training generally draws an impassable line between educated talent and the industrial world. If the object be to educate all classes, this certainly is a serious evil. Says one of the Professors in our own State University, in a communication some time since given to the public: 'In the University designed for the training of professional men, the destined agriculturist will not only fail to obtain that *kind* of liberal training and scientific knowledge which are adapted to his life, but there will be nothing congenial in the atmosphere of such an institution to the moral and social nature of the farmer whose habits of life remove him from those who resort to Universities.'

"The truth of this statement is plain to all. The spirit of such institutions is necessarily adverse to the habits of the working classes. Take four or five years of that part of a young man's life in which he is cultivating the mind, acquiring habits of thought, assuming mentally a fixed character, in which he is making preparation for his future career, and shut him out from the business world; keep him from mingling with it, give him an entirely different atmosphere; make him breathe it, and get accustomed to it, and love it, so that his habits of thought and his spirit shall be wholly disconnected from industrial pursuits, and will you not effectually produce a total alienation of his life from those scenes

requiring labor? How can it be expected that a man will become interested in labor when you educate him to neglect and wholly ignore it? And just so long as our colleges pursue their present system, will there be an inevitable tendency to form two classes in society, the uneducated laboring class, and the educated non-laboring class. Now I look upon the system of Agricultural Colleges, imparting a knowledge of agriculture, and embodying labor as an essential element, as designed to work the grandest results in favor of industrial pursuits, by retaining the sons of the farmer on the farm, and thrusting educated talent into those branches of business demanding labor. Should these be the only beneficial effects growing out of these institutions, they would amply repay the cost. They would ultimately increase the farming capital far more than the expense incurred in their support.

"7th. Agricultural Colleges afford physical as well as mental education. There can be no question but that close study without labor or vigorous exercise, shortens life. The organization of our institutions of learning, should be such as not to endanger health. This is certainly of the utmost importance. Experience, as well as theory in this Institution, sustains the fact that a certain amount of labor contributes to the health of the student, while at the same time it does not in the least arrest mental progress, but rather promotes it.

"8th. The Agricultural College will exert a direct influence on the education of the young. The departments of science which must here receive especial attention, are precisely those which are now monopolizing the thoughts of the most learned men of the age. There is everywhere, indeed, in this particular line of study, intense activity. Scientific associations are formed, scientific journals published, and the liveliest interest is manifested in bringing to light those mighty truths of nature which have too long been concealed from our view. Men are giving their lives without hope of pecuniary reward, to the prosecution of these scientific re-

searches. And it is a significant fact that these several branches of science, which necessarily form the principal part of the course of study in an agricultural college, and which must receive a much larger share of attention than can be devoted to them in other institutions, are the very studies which are now profoundly taxing the intellect of the scientific world.

“In this way an Agricultural College naturally and necessarily falls into the spirit of the age, and moves in the same channel of truth. Thus while science, in its rapid development, cannot fail to lend important aid to agriculture, Agricultural Colleges must reciprocate the favor by entering into the work of scientific researches.

“9th. There are moneyed arguments in favor of such an institution. I have before said that the more scientific the farming, the more successful it is; and that it is successful because of its conformity to nature's laws. By giving instruction in genuine scientific agriculture, not the intangible, chimerical theories of the speculatist, but theories dignified into substantial, well-established science, much good must be accomplished in a pecuniary point of view. Is it possible that a man should not be benefitted by an intimate acquaintance with the material on which he bestows his labor? The light that would emanate from this source, being felt all through our State, in its aggregate influence, would add much to the productiveness of our farming capital. Again, by elevating the character of the people of the State, raising the reputation of this commonwealth abroad, it will aid in inviting among us men of intelligence and capital, thus adding to our sources of income far more than the cost of the support of the College. Capital will always center where there exist the most intelligent means for its use.

“10. But all who enter such an Institution may not go forth from the College to labor on the farm, but many of them will engage in other pursuits in life. This may be true, as it is with all our professional schools. But 1st. A vastly

larger proportion will devote themselves to agriculture, than though they pursued their studies in other Institutions; and 2d. Every class of men, of whatever calling, would be benefited by a knowledge of agriculture as a science and art. This is the great and leading interest of the land. All men in this country must, in one way or another, come in contact with this agricultural element. This foundation art, then, in the business world, whose facts are woven through every department of life, and which meet us in almost every transaction, should be studied to some extent by all. Aside from the beneficial effects of this system of study on health, and its favorable influence on habits of industry, the young would acquire a knowledge of the principles and practice of this, the most wide-spread and pervading branch of business of the whole country, and which is intimately connected with our prosperity as a nation. I can see a special advantage accruing to persons in almost every pursuit, from a somewhat minute acquaintance with this subject; an advantage not derived from any other art. But when in later years, men retire from the more stirring scenes of business or public life to the quiet of the farm, as they almost universally seek to do, they find a more direct and practical use for the knowledge they acquired in earlier days. It is well known that the most unprofitable, and often ruinous expenditures of means are seen among that class of men who, without any previous experience, undertake the management of farms at a somewhat advanced age. They discover when it is too late, that agriculture is not so simple an art as they had supposed, and that previous study and practice are absolutely necessary to success."

These views the undersigned believe to be sound and in accordance with the deliberate conviction of a vast majority of the intelligent agriculturists of the State. The Committee of the State Agricultural Society, consisting of Messrs. G. W. Beckwith, of Cassopolis, O. W. Greene, of Farmington, and R. F. Johnstone, of Detroit, appointed to visit and report

on the Agricultural College, in their report made in January, 1868, say:

“We have reason to believe that the same quality of education would not be furnished more cheaply or so successfully at any other institution than it is at this one.

“On this subject we cannot give any positive data at present, for want of time, but it is very certain that should a Department of Agriculture be connected with the University, additional professorships would be needed, and it is considered that the object of establishing a school or college, where labor in connection with study must be a feature, would have to be surrendered, as it is not esteemed feasible that students who labor and those who do not, would harmonize at the same institution, though there would probably be less of that feeling at the Michigan University than at any other in the United States.

“Your committee, without entering into details, therefore, would recommend that, instead of agitating a proposed removal on the ground of economy or efficiency in the educational system of the Agricultural College, that the Board of Agriculture should be strengthened, and not weakened in the efforts they are now making to render the Institution more efficient and useful, and more especially now, when they are a body who, by their cautious and economical administration in the past two years, have gained valuable experience, and are better prepared than at any previous time, to build up and sustain this College in that course of useful instruction, which will undoubtedly eventually repay the citizens of the State for all the direct outlay it may have been at. * * * *

“The condition of the College itself, financially, and in regard to its property, is far from discouraging. It is generally contended that its location is a grave fault, that almost deprives this generation of the full value of returns from the endowments granted to it. Your committee deem it to be too late in the day to discuss the wisdom of planting such an

Institution in the woods. It is established, and has already sent out roots in many directions, which, if torn up, could not be transplanted to any other location, and the time lost in waiting for the transplanted tree to live, if it did live, would place the period at which this generation would gather fruits from it, farther off than ever."

But in the opinion of the undersigned, a far-seeing policy established it where it is. Here, on the very margin of the cultivated portions of our country, where the "forests primeval" are just vanishing before the encroachments of civilization, the youthful and vigorous State of Michigan, first among her sister States, dedicates this Institution to the instruction of men who are devoted exclusively to the cultivation of the earth. Established on no precedent, it is like a pioneer in the march of men and the march of mind. It is peculiarly fit that such an enterprise should be founded on the confines of the country, which a native poet, Whittier, so gushingly describes:

"The rudiments of empire here,
Are plastic yet and warm,
The chaos of a mighty world
Is rounding into form."

The elements of the Institution are rough and crude, but even in the embryo, we recognize an enlightened forecast, that would do honor to those venerable commonwealths which have stamped their indelible impress on the history of mankind.

After a full discussion of the Report, the following Resolutions were unanimously passed by the Executive Committee of the State Agricultural Society:

"*Resolved*, That the efforts made by the State Board of Agriculture, during the two years it has been organized, to administer economically and usefully, the State Agricultural College, and its revenue, merit our most hearty approbation, and entitle it to the confidence of the Legislature and the people of the State.

"*Resolved*, That the proposition to remove the College, at

the present time, must be regarded as a hazardous experiment, calculated to injure rather than to benefit the cause of agricultural education.

Resolved, That in view of the prosperous condition of the agricultural interests in all parts of the State of Michigan, we recommend that such appropriation as may be needed by the State Board of Agriculture, for the purpose of sustaining the Agricultural College, be granted by the Legislature.

Resolved, That it is hereby recommended to the State Board of Agriculture, within a reasonable time, to lay down, fence and put in condition, so much of the land immediately around the College buildings, as would form a moderate sized model or experimental farm, and that we believe the people of the State will sustain the said Board, in the exercise of a judicious liberality in securing the services of competent instructors, in the various departments of instruction; as it is believed that such "judicious liberality" will add materially to the reputation and usefulness of the Institution."

It is sometimes argued that a farm and manual labor are not necessary to an agricultural school. Surely mere science, the theory of agriculture, might be imparted with a few acres for illustration, or perhaps with no land at all; but the school, in order to advance the interests of agriculture, should aim at returning its graduates to their farms, and a life of manual labor. Nearly all who have given attention to the subject, have advised that labor should be an essential feature in an Agricultural College. Dr. Hitchcock, in his report, says: "I take it for granted that such a requisition, [labor] would be indispensable in these schools." Governor Andrew, in advising the Legislature of Massachusetts to unite the Congress grant to the Bussey fund, speaking of the conditions of the latter grant, says: "It directs his homestead estate called 'Woodland Hill,' in Roxbury, consisting of over two hundred acres of land, to be retained by the trustees, and

‘that they will establish there a course of instruction in practical agriculture, in useful and ornamental gardening, in botany, and in such other branches of natural science as may tend to promote a knowledge of practical agriculture, and the various arts subservient thereto and connected therewith, and cause such courses of lectures to be delivered there, at such seasons of the year and under such regulations as they may think best adapted to promote the ends designed.’ ”

The Agricultural College of Pennsylvania, in successful operation, requires of all students three hours labor daily. The committee appointed to draw up a plan for the organization of that College, say : “There are many public spirited men who believe that the establishment of such a school, where boys may be educated as farmers, is of more importance than any design which could occupy public attention. It is a fact universally known, that the literary institutions of this country, as at present constituted, educate young men to a total unfitness, not only for the pursuit of a farmer, but as companions for his parents, brothers and sisters, with whom he is expected to spend his life. He is therefore driven from his father’s estate, and into a profession for which he has little capacity.”

In 1858 a society for the promotion of Agriculture, proposed a prize of \$150 for the best essay on the following topic : “The most useful system of agricultural instruction, by which to acquire a practical agricultural education, such as would fit a young man to commence the business of a farmer, upon the average of farming lands in Massachusetts.”

The following are extracts from the prize essay elicited by the society :

“At the outset, however, we are met by the objection that the surest means of causing a young man to quit his paternal acres, and enter into other business, is to give him a superior education. This is not to be regarded as proof that knowledge gives one a distaste for rural occupations, but

rather, that it affords him the capacity to earn a livelihood in an easier and more eligible way."

"In order to train young men to be good and persistent farmers, they must be better qualified to succeed in farming than in any other business."

"In instituting a system of agricultural education, there are five general objects to be regarded:

"1st. The moral training of the youth, to cause them to love their occupation;

"2d. Their physical training, to enable them to endure their labor;

"3rd. Their mechanical practice, to fit them to perform their work;

"4th. Their early practical instruction, to qualify them to understand their business;

"5th. Their instruction in collateral science, to enable them to improve their practice.

"The moral training of the youth, included in the first head, is the most difficult point to be discussed, under the present circumstances, when other employments offer more dazzling temptations, and promise greater rewards than the sober occupations of agriculture. Population has not yet become so dense as to cause a man who owns a farm, to congratulate himself that it is not other property. Indeed, he often feels chagrined, when he considers that the accidental possession of a farm has imposed upon him some necessity to live on it. In too many instances, a farmer with five or six sons, is unable to induce one of them to remain upon the homestead and follow his occupation. All, one by one, as they approach manhood, leave the farm and give their attention to other pursuits. One learns a mechanical art, another studies or learns a profession, and others become tradesmen. Not one can be persuaded to take the farm, though it will be promised to him as his inheritance, if he will but consent to occupy it."

"If all the young men who are destined to be farmers, could

be inspired with an ambition that is based upon the pursuits of agriculture, this ambition alone would cause them to become skillful and intelligent in the practice of their art. It is those who love their occupation, who are the most likely to become well acquainted with it. The means and opportunities for the acquisition of knowledge are so great, that it is more important to increase the desire for any branch of knowledge than the opportunities for gaining it."

"We will now turn our attention to the physical training which is necessary to enable the young men to endure their labor. A boy who is to be a farmer, and who is expected to work with his own hands, must from his earliest years, be trained to robust exercises. He must be educated in such a manner, as not to be incapacitated to endure the toil and hardships of a farmer's life. Without this hardihood his business would be a sore affliction, and not an agreeable and healthful employment. Labor and practice must attend all his steps, and a knowledge of the application of science to agriculture must be imparted to him during those days and hours, when occasion requires a suspension of labor. All the gifts of science which a young man can thus obtain, without a relinquishment of those habits of invigorating exercise, which are needful to insure a capacity for toil, are clear gain to agriculture. For every art, the youth who is to be instructed in it, must be trained in harness, and the knowledge that comes to him while handling the implements of his art, is worth more than the same amount gathered in a library. A slavish continuance of labor ought to be condemned, because every man has a right to the enjoyment of life; but there is always danger, lest during long and frequent relaxations from labor, a young man may lose, both his capacity to endure, and his willingness to follow a toilsome occupation. Such an objection is very generally urged by our farmers against agricultural colleges, which they say, would not only unfit the youth for labor, but would cause them to turn away into other paths."

"But our people obtain their ideas of an agricultural college from the customs of our literary institutions, in which there is no just provision for the physical training of the pupils. In an agricultural school, this would form a very important part of the exercises; and at such an institution, under a good system of regulations and discipline, as at a military school, the boys would be hardened by their labor on the farm connected with the school, while they were pursuing a course of studies."

* * * "The third division of our subject relates to *the early mechanical practice which is required to fit young men to perform their work.* The distinction between *practical knowledge* and *manual skill* or mechanical tact, is not generally understood, but is a very important one. The proprietor of a farm, who should superintend its operations, if he were young and capable, though he never joined in the labor, would soon obtain a practical knowledge of farming. But unless he participated in the labor, he would not learn to hold a plow, to swing a scythe, nor to perform any but the most simple operations of agriculture. He might be thorough in his practical knowledge, a good adviser in regard to times and seasons, sowing, reaping, and all that appertains to a successful practice, still he is not a complete farmer, because he is wanting in mechanical skill and mechanical tact. He cannot, with his own hands, perform the manipulations of the farm.

* * * "Manual skill, like skill in debate, in mathematics, or in any exercise of the wits, can be acquired only by early practice. Some may be disposed to deny that the manipulations of the farm require that long apprenticeship which is usually devoted to learning a mechanical art. This may be true of any particular branch of farm work; but there is a great variety of labor and skill involved in the whole circle of operations. A young man who is strong and capable, may learn in one season to swing a scythe, so as to be reckoned competent to receive ordinary wages; but an ex-

perienced mower would readily perceive his own superiority. If, however, he could perfect himself in one set of manipulations during the first season, he would require a second season to learn another set, and before he was proficient in all departments of skill, he would have served nearly a seven years' apprenticeship.

"It is worthy of remark, that while men in general, see very clearly that they cannot be good practitioners of certain arts, without a long course of study and experience, they believe that there are other arts which they would not be obliged to learn, but may, if they please, 'take up' at any time. One of the occupations which they suppose they can 'take up,' thus suddenly, and without preparation, is farming."

A science or art requires experience in exact proportion to the uncertainty that exists in the application of its rules and principles; yet this very uncertainty renders the ignorant more bold in assuming the practice of such an art. Hence, the multitude of quacks who invade the ranks of medicine and agriculture. A complete farmer will be found, therefore, only among those who were brought up to the business of farming. All others must be awkward in the performance of their labor, unskillful in their manipulations, imperfect in their practical knowledge, and, if they carry on a farm, can be successful only by using the advice and experience of their hired men. The operations of ploughing and scattering seed, of mowing, reaping, gathering and stacking the different crops; the rearing of animals and the management of cattle, both when employed in labor and when in the stall; the modes of executing the different tasks connected with their training, and the adjustment of their harness and their burdens; the care of fences and buildings, and the preparation and equipment of agricultural implements, constitute a variety of performances, and require a manifold exercise of mechanical skill, which can be acquired only by many years of early practice."

The above extracts are introduced into our report in order

to show the importance which is attached to a system of daily labor as an essential feature of a College for the education of farmers. This labor system finds no place in any of the plans for the removal of the College, which have come to our notice. Is it wise to abandon a system recommended by nearly all, if not all, who have examined the subject of agricultural education, which is considered on every hand so essential to the retaining of graduates in the business of farming, and which is in successful operation in several Colleges already established, in order to try a new experiment on a plan everywhere condemned?

In regard to the last question, which plan will be the cheapest? Your committee are convinced, that to sustain the Institution in its present situation, will cost less, while it will accomplish more, than by connecting it with the University.

The growth of all educational institutions is necessarily slow. Years are required to secure the development of all great Colleges.

Such has been the history of the University itself. For the first ten years of its existence, from 1843 to 1852 inclusive, the average number of students was only 59 and a fraction.

The average attendance at the Agricultural College, since its organization, has been much more, having been about 72.

Your committee would say nothing to impair the confidence of the people in the University. It is one of the noblest Institutions of the land; but it should not be allowed to absorb the other established educational institutions of the State, and it cannot be sound policy on the part of that Institution to attempt this, or of the State at large to suffer it to be done.

The Agricultural College is now in a condition, with the munificent Congressional endowment, so wisely set apart for its support, to become, at no distant day, not only a self-sustaining Institution, but one of the most beneficial Institutions of the State. Of it, the agriculturists and legislators of Michigan may well be proud, and the honor and interests of the State demand that they should cherish and sustain it.

The buildings have cost and are now worth, for the purposes intended in their construction, about fifty or sixty thousand dollars.

The farm in immediate connection with the College, contains 676 acres, 250 of which are under cultivation. It has but just been brought into a productive state. Its value, aside from the buildings, cannot be placed at less than \$27,000, while the College remains as it now is. In addition to this, the wise action of former legislators gave to the College some 6,000 acres of swamp lands, adjoining and in the vicinity of the farm. These lands are believed to be worth, the College remaining where it is, at least \$30,000, and with the policy adopted by the Board of Agriculture, will rapidly increase in value.

The Congressional grant is 240,000 acres. If the average value be placed at \$1 25 per acre, which we believe to be low, it gives \$300,000. The endowment, therefore, aside from the farm, which must bring in a large income, cannot be placed at a less sum than \$330,000. At 7 per cent interest, this will give an annual income of \$23,100, a sum ample for the great end intended.

Here the undersigned would also observe that in making this grant, Congress undoubtedly had in mind the endowment of independent Agricultural Colleges; the very terms of the grant preclude the idea of professorships or departments in other Colleges. The grant runs:

"Sec. 4. *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid, by the States to which the lands are apportioned, and from the sales of land script, hereinbefore provided for, shall be invested in stocks of the United States, or of the State, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested, shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth, of this act,) and the interest of which shall be inviolably

appropriated by each State which may take and claim the benefit of this act, to the endowment, support and maintenance of at least one College, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life."

Whatever the arguments used to procure the removal of the College, and the establishment of an agricultural department at Ann Arbor, should such removal be made, your committee are convinced that on the one hand great losses must come to the State, and on the other hand greatly increased expenditures must be incurred.

In the first place, in case of removal, much must be lost of what we now have.

The College farm and all of the swamp lands adjoining must become, by the removal, of greatly diminished value. The amount of the depreciation cannot fall short of many thousands of dollars.

The buildings can be of little value for any purposes other than as a College; they will be nearly a total loss.

In case of removal to Ann Arbor we should have to again make heavy expenditures in order to secure there what we already have here. We should have to acquire a farm and erect suitable buildings. This must be manifest to all, as there are no extra buildings connected with the University that can be used for the purpose. At least \$100,000 would be required to start the department, so far as farm and buildings are alone concerned. It must be an unwise policy that counsels a course that inevitably leads to such loss, and necessitates such expenditures at this time.

Again, the expense of instruction at Ann Arbor cannot

be less than in the College as it is. It will require just the same course of instruction, as many additional classes as there are in the College, and as many additional instructors or professors. Any curtailment here must be at the expense of the thoroughness of the instruction rendered. At the Agricultural College the classes who receive in-door instruction in Botany and Horticulture one-half day, are with the Professor in the field for three hours another portion of the day, and this instruction continues daily through the year. At the University Botany is taught by a Professor who adds Geology and Zoology to his department, and gives instruction in Botany but a portion of the year. So of other branches of the course of study. Indeed, Dr. Hitchcock, in the report already referred to, says a department in a College is insufficient, because "such professorships, unless numerous, would be entirely insufficient to accomplish the objects desired." This language indicates a fear lest a false economy should defeat the object in view. Such a fear of absorption is expressed in the resolution of the Committee of the Maine Board of Agriculture. To the same purport is the following from the address of Professor Fisk, before the Legislature:

"Those who have imagined that a chair of agriculture, simply in our ordinary Colleges, is all that is required, have formed very inadequate views of the wants to be provided for.

"In the first place, there is scarcely a professorship that is essential in a separate Agricultural College but that would have to be organized in addition to the regular force, if it were but a department. I need scarcely remind you that the branches which constitute the principal part of the course of study in an Agricultural School are precisely those to which ordinarily the least attention is given in College. For illustration: Usually but few lectures are given in Zoology. In an Agricultural College, the importance of the subject requires that Zoology and Animal Physiology should employ

the whole time of one man. Ordinarily, also, but a few weeks are devoted to the study of Botany and Vegetable Physiology. In an Agricultural College the extent of scientific and professional instruction demanded in this department, renders a separate chair of Botany and Vegetable Physiology indispensable. In Colleges of 'Arts, Sciences, and Literature,' the Chemical department generally embraces simply Elementary Chemistry. In an Agricultural College, the applications of Chemistry to agriculture must constitute the principal part of a professorship. Geology and Mineralogy usually receive but little attention in College; and Meteorology none at all. The intimate relations of these sciences to agriculture, afford scope and labor enough to employ the whole time of one man. In Mathematics the subject of Rural Engineering is supplementary to the instruction given, and necessarily increases the expense. It was well said by Gov. Blair, in his inaugural message, that the Agricultural College 'should teach far more thoroughly and extensively the sciences that relate to agriculture than any ordinary College.' In addition to all of this, aside from the Mechanic Arts, the general subject of practical agriculture opens up a wide field of instruction which must also be provided for.

"Thus, if the object be to teach scientific agriculture, an extensive acquaintance must be secured with those sciences which explain the philosophy of agriculture. A Chair of Agriculture, then, without the means of acquiring a thorough knowledge of those sciences which lie at the foundation of this art, every one will readily see, could not accomplish the object sought. Therefore, to cover the additional instruction demanded in our Colleges and Universities, should an agricultural department be attached, the Faculty must be increased by at least four or five Professors. An entirely new course of study must be established, differing almost as much from the general course as that of law or medicine does from the arts and sciences.

"Passing from the cost of instruction to the facilities required, and what do we find? Whether the Agricultural College be a separate institution or simply a department, in both cases there must be a practical farm to illustrate the instructions of the lecture room. In both cases must there be an experimental farm to improve the science of agriculture. In both cases must all the stock and implements for working the same be provided. In both cases must there be a Botanical Garden, and seed room. In both cases must there be a Kitchen Garden, for instruction in this department of husbandry. In both cases must there be a Veterinary Hospital. In both cases must there be collections in Botany and Zoology, with special reference to the application of these sciences to practical agriculture. In both cases should there be an Agricultural Library, differing essentially from the libraries usually attached to colleges. Indeed, agriculture being a specialty, its facilities and appliances must also be specialties."

In regard to economy, therefore, the removal of the College to Ann Arbor presents only these two aspects, either to call on the treasury for expenditures, such as have been already incurred at the Agricultural College, or to abandon the full course of instruction and illustration there given. The University has no means of its own to spare. It could not even, under the pressing necessity of the times, spare means for a military professorship. In their last report, the Board of Regents, after speaking of the "strict economy which a pressing necessity for all the funds legitimately belonging to the University has always imposed," and after mentioning many wants for which the University has not means, proceeds to say: "Another pressing want of the University, which has been heretofore referred to by our Board, is a suitable College Chapel, for the erection of which we can only look to the State or the General Government to supply the necessary funds. Our Military Chair is still vacant, nor will the state of our annual income admit of any attempt to

materially increase our corps of professors, and while we can only report our willingness to perfect the arrangement, if it is thought desirable, we must look to the State to make the necessary provision for the increased expenses of founding, in connection with our scientific department, a free Military School."

Nor can the citizens of Ann Arbor very well supply the want. It is said the amount they have paid towards the erection of the Law School building falls short of their subscription to the amount of some five thousand dollars. The economy of removal seems to be no less than the abandonment of what is peculiar to the discipline and course of study of an Agricultural School; the sinking of the College into class instruction, under Professors already sufficiently taxed with labor, and the ignoring of the fair interpretation of the grant of Congress.

The examination which the undersigned have given to the Agricultural College, has convinced us that misapprehension exists as to the current expenditures of the College. The impression prevails that it uses annually a very large amount of money, without rendering corresponding advantages to the State, especially in the way of experiments and original investigations in the Science of Agriculture. The fact is, however, that its expenditures, from year to year, have been only sufficient to provide proper facilities for the education of its students, and to make gradual improvements in land and buildings, with a view to a higher excellence in the outdoor discipline in future.

The appropriation for 1857 and 1858, was.....	\$40,000 00
" " " 1859 and 1860, was.....	37,500 00
" " " 1861 and 1862, was.....	16,500 00

Total.....	\$94,500 00
------------	-------------

This is the entire cost of the Institution to the State; for the first appropriation of \$56,320 was from the sale of salt spring land, which cost the State nothing. The total above given

exceeds the amount actually expended by the College since it was opened to students, by the sum of \$13,472 73, which should be added to the \$56,320, making \$69,793 73 as the first cost of the Institution, prior to its opening. The farm cost over \$10,000. The buildings were, unfortunately, not well made at first, but two large College buildings, a brick barn, four tasteful brick dwellings, a chemical laboratory, costing, it is said, some \$3,000, the first furnishing of farm with stock and tools, and other expenditures incident to a new enterprise in a place removed from ordinary markets and channels of trade, and in a season of great financial embarrassments throughout the country, all these do not afford, out of a sum of \$59,793 73, an unexampled margin for waste and extravagance. For the last four years, the average annual expenditure has been \$10,131 82. The current expenses of each of the last two years, have been about \$10,000, a sum greater than the appropriation made in 1861, which was made in view of an unexpended balance in the treasury of the College.

In regard to the number of students, it must be borne in mind, that it is only two years since the course of study was extended from two years, to the four years required by the present law of reorganization. This radical change, from a purely technical to a more mixed course, was preceded the year previous by one as sweeping in its character. Under these circumstances it is natural to look for fewness of numbers in the higher classes, and the graduates of the College. At first, also, the rate of wages paid students per hour was often as high as ten cents—the maximum wages is now eight cents; the first course of study was less professional by far than the present. All these circumstances would account for the fact, that at one or two terms of the College, the number of students was greater than during the last two years. On the other hand, the number in attendance during each of the last two years, much exceeded those who were present after the first radical change in the course of instruction; but, after

all, so far as numbers in attendance is concerned, the enterprise is rather successful than otherwise.

The Agricultural College of Pennsylvania—a State of nearly four times the population of Michigan—has been in operation four years, on a uniform system of discipline and instruction, and 119 students are reported as the greatest number in attendance in any one year. Yet this is called a school in successful operation by themselves, by the Governor of Massachusetts, by the Secretary of the Board of Agriculture in Maine, and by the agricultural press generally. According to the tables presented in the American Almanac for 1857, of the 121 Colleges in the United States, but 14 had over 200 students in attendance; 9 had between 200 and 150 in attendance; 31 had between 150 and 100 in attendance; 18 had between 100 and 75 in attendance, and 49 had less than 75 in attendance.

But few of the youth of any State advance to the higher grades of educational institutions, as the figures just given, show; and this might have been especially anticipated of the farming community. Unlike men in the learned professions, they proceed surely to wealth, without any training in the schools. An Agricultural College is a new thing, and must win its way to their confidence gradually. It was for the general advancement of this class, that observing farmers and the State Agricultural Society, and an enlightened Legislature, united in the founding of the Agricultural College. It has been, by an act of re-organization, passed by the last Legislature, placed in charge of a State Board of Agriculture. This is the sole Institution in their care, and they feel a pride in its proper development and usefulness. They have managed the last appropriation with economy and judgment.

The sum asked for each of the coming two years is \$10,000, and is the least the State can afford to give, because it is the least that will afford creditable facilities of instruction to those who resort to it. It is the least that will enable the Institution to do honor to the State, that was the first in the

United States to establish such a College, a College whose general plan has been imitated by other Legislatures and corporate bodies, and which is still looked to to lead the way in the enterprise.

The undersigned are therefore of opinion that the Agricultural College should be left to the management of the State Board of Agriculture, and generously sustained by the Legislature of the State.

All of which is respectfully submitted.

W. H. HAZE,

Ch'n Com. on Education.

RICHARD J. CREGO,

Ch'n Com. on Agriculture.

GEORGE LUTHER,

JAMES DOCKERAY.

Report accepted and committee discharged.

On motion of Mr. Howell,

Two thousand extra copies of the majority and minority report were ordered printed, and stitched together.

By the committee on geological survey:

The committee on geological survey, to whom was referred

A bill relating to the procuring and preservation of certain papers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. M. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on geological survey:

The committee on geological survey, to whom was referred

A bill to provide for a special geological survey of portions

of the State, and the collection, arrangement and preservation of geological specimens,

Would beg leave to report that they find a strong desire, on the part of our citizens, for such an undertaking, and that great benefit would result from a liberal appropriation, for the purpose of taking up and vigorously prosecuting the geological survey of our State.

In times like these, every one feels the importance of economizing our resources, and while we are devoting our energies in aid of the government in the present crisis, we feel that we should guard against all attempts to deplete our treasury by injudicious appropriations, so much being required to meet the extraordinary demands made upon it at the present time; and after mature deliberation, your committee are led to believe that on the principle of the strictest and most exacting economy on our part, that a liberal appropriation for that purpose would be most judiciously applied; and we believe, that as the legitimate fruits of such an appropriation, the treasury of the State would, in a very short time, be reimbursed many fold for the expenditure made.

Your committee believe we have within our borders, a vast amount of mineral wealth, second to that of no State in the Union. To some extent this has been explored and developed, owing to the wise policy adopted by the State many years since, and, as the legitimate results of which, the vast wealth of the Upper Peninsula, in iron and copper, became known, and millions of capital from abroad was transferred to that region, to be employed, in unfolding those sources of wealth which are now so largely contributing to the material wealth and revenue of the State. Since Michigan became a State, millions have been expended for iron, copper, coal, salt, gypsum, &c., from other States, while we have inexhaustible stores of all these within our own borders. What great advantages would have resulted to us had these great sources of wealth been fully developed at an earlier period, and the capital thus sent abroad

to enrich other States, been retained among ourselves? We have untold mineral wealth of various kinds beneath our feet, throughout almost every portion of our State. The iron and copper regions of the north are, as yet, but partially explored, and from reliable information which we have received, we learn that on many of the swamp lands of those regions, now held by the State, that indications of valuable iron and copper mines exist, and, without doubt, the State is possessed of such lands in that district, of great value; but the exact location of these can only be ascertained by a thorough geological exploration of that region, and, without doubt, the benefit which would directly result to the State would be very great, but without such survey the State would derive but little benefit from them, and part with them for but a fraction of their value. From this source alone, many times the cost of the survey, no doubt, would accrue to the treasury. In addition to these, indications of rich deposits of the ores of silver, abound, which a thorough survey would make known. Roofing slates, of a valuable character, quarries of marble, of granite, of syenite and talcose beds, are to be pointed out, and their situation made known, that capital may be invited thither for investment, from which the State will speedily derive a revenue.

In addition to the above, silver has been found in quantities sufficient, and in situations to lead to the hope that important discoveries of this precious ore may be made. Manganese, plumbago, cobalt, lead, and even gold in small quantity, has been found, and no doubt valuable deposits of these will be brought to light, as well as valuable beds of novaculite, a most valuable material for hones, &c., &c. At the present time a large amount of capital in other States is seeking for favorable opportunities for investment, and if we but point out to them these sources of wealth, their treasure is ready and anxiously waiting to be poured into our lap.

On the Lower Peninsula, also, much remains to be accomplished. Over many thousand square miles of the interior, coal exists, and at some points, of a very valuable character; and

many places where it is but little suspected by the inhabitants, will be found to be underlayed by this invaluable article, for which we are now paying large amounts abroad.

Your committee find that beyond the borders of the coal field, and embracing a much larger area, lie a group of rocks, in which our deposits of gypsum are situated; this being one of the great fertilizers of the soil, is required almost everywhere, and of which we have supplies sufficient not only for our own wants, but to furnish great quantities for exportation abroad. There is also good reason to believe that excellent material for hydraulic cement will be found with us, an article which we now derive entirely from other States, and of which we annually consume a large amount. Certain grit-stones for mechanical purposes, which we now receive entirely from abroad, we have good authority for believing exist with us, equal to any received from any other States, and the localities of which, only need to be pointed out, to invite the investment of capital. Flagging and building stone equal to the best we receive from abroad, also exists, and thousands of dollars, we are informed, is waiting for investment in this business, as soon as these locations can be pointed out, and intelligent direction guide the expenditures. Still beyond the border of the belt occupied by the outcropping rocks in which the deposits of gypsum are found, lie those sandstones, which are the depositories of the brines of the Michigan salt group, extending nearly across the State in an east and west direction, and of an equal or greater extent from its northern to its southern boundary. The practical information regarding the deposit of salt within this basin, and which has already yielded such magnificent results, was solely and purely the result of geological investigations. Hundreds of thousands of dollars from other States has already been invested in the business which has sprung from this; and from this alone, in a very short time, the State will derive a revenue repaying it many fold for every dollar that has been expended in all its geological surveys; and indeed we learn that in two counties of this State, where at present the works are most

numerous, many hundreds of thousands of dollars have already been expended within the last few months, and mostly capital from abroad, from which a revenue of many thousands will be derived the coming year.

The extent of the productive portions of this basin should be ascertained, that intelligence may direct the investment of capital, and indicate the points most favorable for such enterprises, and also to advise where such efforts would not be likely to meet with success.

A large portion of the Lower Peninsula is covered with a heavy deposit of drifted material, hiding the rocks, in a great measure, and consequently the mineral wealth contained in them, from view. A thorough knowledge of the character of these rocks, and their wealth of coal, salt, gypsum, &c., can only be obtained, in many places, by boring in the earth, and bringing specimens to the surface. Were the State to perform this work, simply for the purpose of obtaining this information, the expense would be enormous; but at the present time, numerous wells are being bored, in various portions of our State, costing several thousand dollars each, but the information to be derived from them can, while the work is in progress, be obtained merely for the expense of collecting it; and thus every section of the country, where these works are being conducted, would obtain most valuable information in regard to the mineral wealth beneath them. Perhaps, soon, in many localities, the opportunity for obtaining this information will be past, and then no amount of money the State will ever feel authorized to appropriate, would obtain the same information.

Suits of specimens from every well bored, as far as they can be obtained, should be preserved, from every stratum passed through in boring the wells; also, diagrams, illustrating the same, should be prepared, and these deposited with the State, for reference. The knowledge thus obtained, and also from the surface explorations, and the examinations of the outcropping rocks, where they exhibit themselves, and comparison of these with the records of the borings, would give us a mass of

information of incalculable value to the State—information practical, and which would tend largely to replenish the Treasury. Below the Michigan salt group, and at its outcrop, bordering those last named, lie a series of rocks, which, in other portions of the country, have furnished the supply of the petroleum which has quite recently become an article of great commercial importance; and there are strong probabilities that these same deposits may be found in the same highly bituminous rocks, of the Lower Peninsula.

Again: still below and beyond the rocks last named, and including a much larger area—in fact, underlying almost every portion of the Lower Peninsula—we find a continuation of the rock which constitutes the Onondaga salt group, of New York. Every one is aware that brines, of great value, and which have been a source of great wealth to the inhabitants of that State, exist in this formation. In this State, also, the same rocks are known to be saliferous. Salt springs issue from these rocks, at various points throughout the borders of our State, and there are favorable indications of the existence of valuable brines, in these rocks.

At the present time, however, the investigations in that direction have not been carried sufficiently far as to obtain the necessary information to establish the fact of their productiveness, but so far as the work has been prosecuted, it has been attended with much encouragement. In the vicinity of these latter, also, we may be encouraged to look for deposits of gypsum; and, indeed, on the borders of these rocks, at two different points, gypsum has been found.

Great interest is felt at the present time in this undertaking, and your committee fully believe that no measure the State could adopt would be so favorably received by the people, and from which such beneficial results would immediately flow, and the people and their treasury be so much benefitted. The committee have directed me to report the bill back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

B. M. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Mason,

The report was ordered printed.

SPECIAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the special order,

Mr. Read in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bill:

A bill to revise the charter of the city of St. Clair;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

Mr. Mason moved to amend the bill by striking out all that part of the bill which provides for making the assessor a supervisor;

Mr. Mason demanded the yeas and nays:

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Allen,
Betts,
Bowen,
Burt,
Clark,
Davis,
Dockeray,
Fifield,
Freeman,
Gaylord,

Mr. Grinnell,
Henry Hayden,
Haze,
Hemingway,
Mason,
H. Miller,
J. C. Miller,
John Miller,
Piper,
Porter,

Mr. Pratt,
Raymond,
Thayer,
Tinham,
Warner,
Williams,
Woodman,
Woodworth,
Speaker,

NAYS.

Mr. Abbott,
Aldrich,
Bentley,
Buell,
Cobb,
Combes,
Cowan,
Crane,
Crego,
Deare,
Denman,
Dixon,
Dow,
Eldredge,
Fitch,
Fowle,
Gargett,

Mr. Griswold,
Grosebeck,
H. A. Hayden,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Littlejohn,
Mallary,
McKernan,
McMartin,
Mosher,
Rankin,
Read,

Mr. Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thomas,
Toll,
Voorheis,
Weatherby,
Wheeler,
White,
Wilson,
Winsor,

49

On motion of Mr. Hemingway,

The bill was placed on the order of third reading.

On motion of Mr. Howell,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Roll called : quorum present.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend section 4115 of the compiled laws of the State of Michigan, it being section 9, of chapter 97, of the revised statutes of 1846,;

Which the House amended by adding at the end of recited section 9, the words:

“Provided, That the court may allow any plaintiff to proceed in any such action, upon being satisfied, by affidavit, of his inability, from poverty, to give such security, and of the justice of his claim;”

And to inform the House that the Senate refuses to concur in said amendment.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Howell,

The House adhered to its amendment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Mason moved to discharge the committee of the whole from the further consideration of Senate bill No. 26, entitled

A bill to provide for the paying or funding of the bounty fund raised by the citizens of Detroit;

Which motion prevailed.

On motion of Mr. Mason,

The bill was placed on the order of third reading.

Mr. Howell moved to take from the table

A bill to provide for the taxation of capital invested in mortgages;

Which motion prevailed.

On motion of Mr. Howell,

The bill was referred to the committee on ways and means.

Mr. Dow moved that the committee of the whole be discharged from the further consideration of House bill No. 74, entitled

A bill to provide for the improvement of a certain road in the county of Eaton;

Which motion prevailed.

On motion of Mr. Dow,

The bill was placed on the order of third reading.

Mr. Gaylord moved that the committee of the whole be dis-

charged from the further consideration of House bill No. 162, entitled

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay railroad;

Which motion prevailed.

On motion of Mr. Gaylord,

The bill was placed on the order of the third reading.

Mr. White moved that the committee of the whole be discharged from the further consideration of House bill No. 101, being

A bill to amend an act entitled an act to revise the charter of the city of Grand Rapids;

Which motion prevailed.

On motion of Mr. White,

The bill was placed on the order of third reading.

Mr. Read moved to take from the table House bill, entitled

A bill to provide for the repayment of moneys advanced by citizens of Kalamazoo county, to pay bounties to volunteers mustered from this State into the military service of the United States;

Which motion prevailed.

On motion of Mr. Read,

The bill was referred to the committee on banks and incorporations.

Mr. Woodman offered the following:

Resolved, (the Senate concurring,) That from and after 12 o'clock, noon, on Thursday, the 12th day of March next, the two Houses will transact no business, other than for the President of the Senate and Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the day of final adjournment of the Legislature shall be Saturday, the 14th day of March next, at 12 o'clock, noon, of that day.

On motion of Mr. Howell,

The resolution was laid on the table.

Mr. Hemingway offered the following:

Whereas, The majority of the joint committee on education, and agriculture and manufactures, in their report to this House, on that portion of the Governor's message referred to them, use the following language: "Now, a college, or a university, is only a manufactory on a higher and grander scale, supplied with all the machinery, apparatus and operatives necessary to turn out well educated and polished men and women, and it must be conducted on a strict business basis, or it cannot in any measure be successful;" therefore,

Resolved, That so much of said joint report as is contained in the above quotation, be referred to the committee on agriculture and manufactures, with instruction to report to this House, with all convenient speed, what further machinery is necessary to keep said manufactory in operation;

On motion of Mr. Mason,

The resolution was laid on the table.

Mr. C. Davis offered the following:

Resolved, That the committee on supplies be directed to procure two stoves, (as large as can be obtained in this city,) with the necessary pipe, and cause the same to be put up in the basement under this Hall, with direction to the firemen to keep them properly heated, and to keep a very moderate fire in the furnace, so that a warm room underneath, less over-heated and vitiated air over-head, may keep the feet warm, the head cool, and the minds of members in such healthful condition as to prevent their becoming fit subjects for the asylum for the Insane;

Which was adopted.

Mr. Gaylord moved to take from the table House bill, entitled
A bill to authorize the board of supervisors of the county of Saginaw, to raise money, by taxation, for the repayment of bounties to volunteers;

Which was adopted.

On motion of Mr. Gaylord,

The bill was referred to the committee on banks and incorporations.

Mr. Fifield moved to take from the table a manuscript bill, it being

A bill to repeal act No. 194, of the session laws of 1861, entitled an act to enlarge Union school district No. 2, of Pontiac;
Which motion prevailed.

On motion of Mr. Fifield,

The bill was referred to the committee on education.

Mr. Wilson offered the following:

Resolved, That the committee on public lands be authorized to employ a clerk for a few days, in order that they may be enabled to prepare a map, showing the various roads contemplated by the bill which they have reported;

Which was adopted.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 53, entitled

A bill to amend section 160, of chapter 17, of the compiled laws, being No. 940, of the compiler's sections, relative to the duties of the Commissioner of Land Office, and county treasurer's,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,

Mr. Freeman,
Gaylord,
Green,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Mallary,

Mr. Rankin,
Raymond,
Read,
Slafter,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinham,
Toll,

Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,

McKernan,
McMartin,
Henry Miller,
J. C. Miller,
John Miller,
H. O. Morton,
Mosher,
Pendill,
Piper,
Porter,
Pratt,

Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

Y8

NAYS.

0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to authorize the city of Jackson, and several townships of Jackson county, to pledge their credit to aid in the construction of a railroad from Jackson to Lansing,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,

Mr. Freeman,
Gargett,
Gaylord,
Green,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,

Mr. Piper,
Porter,
Rankin,
Raymond,
Read,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinkham,
Toll,
Voorheis,
Weatherby,
Wheeler,
White,

Dow,
Eldredge,
Fellows,
Fifield,
Fitch,

John Miller,
H. C. Morton,
Mosher,
Pendill,

Williams,
Wilson,
Woodman,
Woodworth,

73

NAYS.

Mr. Grinnell,

Title agreed to.

On motion of Mr. Crago,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker called Mr. Howell to the chair.

Senate bill No. 50, entitled

A bill to amend an act entitled an act to incorporate the village of Hudson, approved Feb. 12, 1853; .

Was read a third time and passed, a majority of all the member elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cowan,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Mr Gaylord,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hodgkinson,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Mallary,
Mason,
McKernan,
H. Miller,
J. C. Miller,
H. C. Morton,
Mosher,
Piper,
Porter,
Pratt,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinharn,
Toll,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker.

72

NAYS.

Mr. Fellows, Mr. Hemingway, Mr. Williams, 3

Title agreed to.

On motion of Mr. Piper,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill, entitled

A bill to repeal act No. 112, of the session laws of 1859, being an act to incorporate the village of Paw Paw,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fitch,	Mr. Rankin,	
Aldrich,	Fowle,	Raymond,	
Allen,	Freeman,	Read,	
Barnes,	Gaylord,	Slafter,	
Bentley,	Grinnell,	Spencer,	
Betts,	Grosebeck,	Sprague,	
Bliss,	Henry Hayden,	G. A. Smith,	
Bowen,	Haze,	T. G. Smith,	
Buell,	Hemingway,	Abram Smith,	
Burt,	Hodgkinson,	Aura Smith,	
Clark,	Hood,	Sweezy,	
Cobb,	Howell,	Thayer,	
Combes,	Keeney,	Thomas,	
Congdon,	Littlejohn,	Tinham,	
Cowan,	Mallary,	Toll,	
Crego,	Mason,	Voorheis,	
Davis,	McKernan,	Warner,	
Deare,	McMartin,	Weatherby,	
Denman,	H. Miller,	White,	
Dixon,	J. C. Miller,	Williams,	
Dockeray,	John Miller,	Wilson,	
Dow,	Mosher,	Winsor,	
Eldredge,	Pendill,	Woodman,	
Fellows,	Piper,	Woodworth,	
Fifield,	Porter,	Speaker,	75

NAYS.

Mr. Wheeler, 1

Title agreed to.

On motion of Mr. Hemingway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to amend an act to incorporate the city of Coldwater, approved February 28, 1861,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Fowle,	Mr. Piper,
Aldrich,	Freeman,	Porter,
Allen,	Gargett,	Pratt,
Barnes,	Gaylord,	Rankin,
Bentley,	Green,	Raymond,
Betts,	Grinnell,	Read,
Bliss,	Grosebeck,	Spencer,
Bowen,	H. A. Hayden,	Sprague,
Buell,	Haze,	G. A. Smith,
Burt,	Heminway,	T. G. Smith,
Clark,	Hodgkinson,	Abram Smith,
Cobb,	Hood,	Sweezey,
Combes,	Howard,	Thayer,
Congdon,	Howell,	Thomas,
Cowan,	Keeney,	Tinham,
Crego,	Littlejohn,	Voorheis,
Davis,	Mallary,	Warner,
Deare,	Mason,	Weatherby,
Denman,	McKernan,	Wheeler,
Dixon,	McMartin,	White,
Dockeray,	H. Miller,	Williams,
Dow,	J. C. Miller,	Wilson,
Eldredge,	John Miller,	Winsor,
Fellows,	H. O. Morton,	Woodman,
Fifield,	Mosher,	Woodworth,
Fitch,		

76

NAYS.

Mr. Aura Smith,

1

Title agreed to.

Senate bill No. 45, entitled

A bill to authorize the payment of a State bounty to volunteers mustered into the military service of the United States,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Batts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,
Fitch,
Fowle,
Freeman,

Mr. Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Keeney,
Littlejohn,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. O. Miller,
John Miller,
H. O. Morton,
Mosher,
Pendill,
Piper,
Porter,

Mr. Pratt,
Rankin,
Raymond,
Read,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinham,
Toll,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

81

NAYS.

0

Mr. Woodman moved to amend the title, by inserting after the word "mustered," the words "from this State;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Deare,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 11, entitled

A bill to amend an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859, and an act amendatory thereto, approved January 17, 1862,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crane,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Fellows,

Mr. Fifield,
Fitch,
Fowle,
Gargett,
Gaylord,
Green,
Grinnell,
Grosebeck,
H. A. Hayden,
Haze,
Hemingway,
Howard,
Keeney,
Littlejohn,
Mallary,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
Mosher,
Pendill,
Piper,

Mr. Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Thayer,
Tinham,
Toll,
Voorbeis,
Warner,
Weatherby,
White,
Williams,
Wilson,
Woodman,
Woodworth,

67

NAYS.

Mr. Eldredge,
Freeman,
Henry Hayden,
Hodgkinson,

Mr. Hood,
Howell,
Mason,
H. C. Morton,

Mr. Stewart,
Swezey,
Wheeler,
Winsor,

12

Title agreed to.

GENERAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the general order,

Mr. Cobb in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills:

1. A bill to authorize the General Synod of the Reformed Protestant Dutch Church, to hold and convey certain real estate;
2. A bill to organize the townships of Lincoln and Fair Haven, in Huron county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee have also had under consideration, the following entitled bill:

3. A bill to authorize the commissioners of highways in township of Metamora, in the county of Lapeer, to re-survey and locate the territorial road across section 16, in said township;

4. A bill to authorize the Auditor General to pay Theron Bostwick, the money erroneously paid on redemption and sale of certain lands;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

JAMES B. COBB, *Chairman.*

Report accepted and committee discharged.

Mr. Hemingway moved that the House concur in the amendments made by the committee to the first named bill, except the one striking out the proviso at the end of the bill;

Which motion prevailed.

The amendment striking out the proviso, was not concurred in.

On motion of Mr. Howard,

The bill was ordered engrossed for a third reading.

On motion of Mr. Winsor,

The amendments to the second named bill were concurred in, *in gross*, and the bill placed on the order of third reading.

On motion of Mr. Hemingway,

The third and fourth named bills were placed on the order of third reading.

The Speaker, by unanimous consent, announced the following:

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return to the House the following entitled joint resolution:

A joint resolution to authorize the purchase of Lambert's Field Tourniquette, for the use of the Michigan soldiers in the service of the United States,

And to inform the House that the Senate has amended the same by striking out the word "military," in the line next to the last of the joint resolution, and inserting in lieu thereof, the word "war;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Griswold moved that the House concur in the amendments made to the bill by the Senate.

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
 Aldrich,
 Allen,
 Barnes,
 Bentley,
 Betts,
 Bowen,
 Buell,
 Burt,
 Clark,
 Cobb,
 Combes,
 Cowan,
 Crane,
 Crego,

Mr. Fowle,
 Freeman,
 Gargett,
 Gaylord,
 Green,
 Grinnell,
 Griswold,
 Grosebeck,
 H. A. Hayden,
 Henry Hayden,
 Haze,
 Hemingway,
 Hodgkinson,
 Howard,
 Keeney,

Mr. Rankin,
 Raymond,
 Read,
 Slafter,
 Spencer,
 G. A. Smith,
 T. G. Smith,
 Aura Smith,
 Stewart,
 Sweezey,
 Thayer,
 Thomas,
 Tinham,
 Toll,
 Voorheis,

Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fellows,
Fifield,

Littlejohn,
Mallary,
Mason,
H. Miller,
John Miller,
H. C. Morton,
Pendill,
Piper,
Porter,

Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodworth,
Speaker, 72

NAYS. 0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

On motion of Mr. Tinham,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Saturday, February 28, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Burgess.

Roll called: quorum present.

Absent without leave, at roll call, Messrs. Crane, Fellows, Littlejohn and Lockwood.

Mr. Raymond asked and obtained leave of absence for Mr. Crane, for an indefinite time.

Mr. Cobb asked and obtained leave of absence for Mr. Fellows, until Tuesday next.

Mr. McMartin asked and obtained leave of absence for Mr. Littlejohn, for an indefinite time, on account of sickness.

Mr. Warner asked and obtained leave of absence for Mr. Lockwood, for an indefinite time, on account of sickness.

PRESENTATION OF PETITIONS.

By Mr. Howell: petition of citizens of Muskegon county, praying for the passage of a law establishing a State road, and an appropriation of swamp lands therefor;

On motion of Mr. Howell,

The petition was laid on the table.

By Mr. Raymond: petition of L. Tabor, and 23 others, praying the Legislature to detach certain lands from the union school district of Adrian city, and attach the same to school districts No. 13 and 14, of Adrian township;

On motion of Mr. Raymond,

The petition was laid on the table.

By Mr. Read: petition of P. Bush, T. J. West, and 118 others, citizens of Charleston, Kalamazoo county, praying for the passage of a law authorizing said town to levy a tax to refund bounty money, paid volunteers;

On motion of Mr. Read,

The petition was laid on the table.

By Mr. Bliss: remonstrance of J. S. Estabrook, W. H. Southwick, W. L. P. Little, and 63 others, against the passage of a bill to prevent pound net fishing;

On motion of Mr. Toll,

The petition was laid on the table.

Mr. McKernan rose to a question of privilege, and submitted the following personal explanation, which was ordered to be printed in the journal:

MR. SPEAKER: I see by the journal of yesterday evening, that the concurrent resolution I introduced at the evening session on the 25th inst., is printed. I was not the author of that resolution, nor did I know anything of the contents; if I had, I never should have offered it. I offered it at the request of a friend, who said it was all right. I am the last man that would do anything to cast a reproach upon any of the people of this State, especially the people of Washtenaw and Wayne, to whom I feel under obligations, and for their Representatives on this floor I entertain the highest esteem and respect. I lived in Washtenaw in the early years of my life, and feel indebted to her institutions for what little education I possess. To Wayne I am more particularly connected in business and commercial matters, and no county has more interest in the general welfare of my district.

I regret that the resolution was printed. I offered it in-

nocently, as a favor, having no desire to offend, in the least, the feelings of any person.

REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of F. P. Wesson, Levi Stephens, and 83 others, praying that the board of supervisors of Berrien county be authorized and empowered to lay out all the money accruing from the sales of swamp lands, in ranges 19 and 20 west, in making roads across, and drains through said lands,

Respectfully report that your committee have given some consideration to the subject, and they find that the State has no swamp lands in that vicinity, and as the purchasers of swamp lands understood that the State should not be liable for the drainage of any lands sold under the provisions of the act, your committee, therefore, have directed me to report against granting the prayer of the petitioners, and recommend that they have the privilege of withdrawing the same, and ask to be discharged from the further consideration of the subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

Leave was granted the petitioners to withdraw their petition.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

A bill to provide for the opening and improvement of roads on the line between adjoining townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. W. WEATHERBY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize and require cashiers and tellers of banks, and bankers, to cancel counterfeit bank bills,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to authorize and provide for replatting the village of Hastings, in the county of Barry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on harbors:

The committee on harbors, to whom was referred

A bill to authorize the township of St. Joseph, and other townships in the county of Berrien, to make loans and levy

taxes for the improvement and construction of the harbor at St. Joseph, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEORGE THOMAS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred Senate bill, entitled

A bill to amend section 4 of an act to provide for the establishment of school district libraries, approved February 15, 1859, relating to the purchase of library books,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State Prison:

The committee on State Prison, to whom was referred

A bill to amend an act entitled an act to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so

amended, do pass, and ask to be discharged from the further consideration of the subject.

A. D. GRISWOLD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, report as correctly enrolled, the following bills and joint resolution:

1. A bill to organize the county of Leelenaw, and define the county of Benzie;

2. A bill to amend section 88 of an act entitled an act to revise the charter of the city of Ypsilanti, approved February 15, 1859;

3. A bill to legalize the action of townships, cities and counties, in raising bounties for volunteers;

4. Joint resolution authorizing the purchase of Lambert's field tourniquets, for the use of Michigan soldiers in the service of the United States;

5. A bill to enlarge the corporate limits, and to incorporate the village of Corunna, under special charter.

CHAS. BETTS, *Chairman.*

Report accepted.

By the committee on military affairs:

The committee on military affairs, to whom was referred House joint resolution, entitled

Joint resolution relating to the compensation of officers and others, of the 28th regiment of Michigan infantry,

Have had the same under consideration and respectfully report, that from the best information which the committee have been able to obtain, the facts in the case are substantially as follows:

Edward Doyle was, about the 25th of October, 1862, author-

ized to raise a regiment of infantry, (the 28th,) to take command of the camp, to appoint officers, including a Chaplain, subject to the approval of the Governor, (except in case of Chaplain, no such approval to be necessary;) that it was understood at the time that the regiment was to be raised within sixty days; that a camp was established at Detroit, and subsequently at Ypsilanti, of which Mr. Doyle took and retained command for about three months, when the consolidation of the regiment with the 27th infantry, took place. His success in recruiting was but partial, only about 800 men having been found in camp at Ypsilanti, when the new commandant took the place of Colonel Doyle.

The consolidated regiment is officered by the field and staff officers of the original 27th, (except the Lieut. Colonel, who was taken from the 28th,) and about half the line officers of each regiment as it existed before the consolidation. The Major of the 28th had been acting but a few days. The Adjutant and Quartermaster, and one officer for each company (a Second Lieutenant,) were, or might have been, if their appointment had been properly approved by the Governor, mustered into the United States service, in which case they would have been entitled to receive pay, and legitimate recruiting expenses, under an order from the War Department of the United States. The line officers retained after consolidation, are believed to include all who can be fairly considered to have earned their commissions by their labor and success in recruiting, it having been uniformly understood, from the beginning of the war to the present, by recruiting officers, that their commissions and pay for their time, depended upon their success. The Commandant of the camp at Ypsilanti did not at the time of the consolidation, turn over to the new commandant, the enlistment papers of his men. If he has done so, he is believed to be entitled to pay as Commandant, at the rate of five dollars per day, upon the allowance of his account for services, by the auditing officers of the United States. Since the raising of the 10th regiment of Infantry, which left the State in the early part of 1862,

all the expenses of the recruiting service, have been paid by the General Government, without the State running any responsibility whatever, nor is there any probability that advances, if made by the State, would be repaid by the General Government.

Under the circumstances, the committee are of the opinion that neither law or equity requires that any legislative provisions should be made, for the benefit of these officers; nor is this case, particularly, to be distinguished from others, where persons having recruiting authority, have failed of success equal to their expectations, and where consolidations have been necessary. The committee therefore report that, in their opinion, the resolutions should not pass, and ask to be discharged from the further consideration of the subject.

J. J. WOODMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The joint resolution was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 25, 1868. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend section 4159 of the compiled laws,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to authorize the board of supervisors of the several counties of this State to cancel and destroy orders that may have been drawn on any of the funds of the county, and remaining uncalled for and on file for the period of six years and upwards,

Which has passed the Senate by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the Committee on State affairs.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to lay out and establish a State road from Lamont, via Storrs' Mills, to Zealand, all in Ottawa county,

And to inform the House that the Senate has amended the same by striking out the words "and fifty cents," in line 1, section 6;

Also, by striking out, in line 2, of section 7, the word "four," and inserting in lieu thereof, the word "two;"

Also, by striking out all after the word "lands," in line 3, section 7, to and including the word "shall," where it last occurs in line 4, and inserting, in lieu thereof, the words, "the greater part of any legal sub-division of which not more than forty acres shall;"

In the passage of which, as thus amended, the Senate has concurred, by a majority vote of all the Senators elect, and has

ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. J. C. Miller moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Hodgkinson,	Mr. Slafter,
Aldrich,	Hood,	Spencer,
Betts,	Howard,	Sprague,
Bowen,	Howell,	G. A. Smith,
Buell,	Jenison,	T. G. Smith,
Burt,	Keeney,	Aura Smith,
Clark,	Mallary,	Stewart,
Combes,	Mason,	Swezey,
Congdon,	McKernan,	Thayer,
Deare,	McMartin,	Thomas,
Dockeray,	H. Miller,	Tinham,
Dow,	J. C. Miller,	Toll,
Eldredge,	John Miller,	Weatherby,
Fifield,	Mosher,	Wheeler,
Fitch,	Parsons,	White,
Freeman,	Pendill,	Williams,
Green,	Piper,	Wilson,
Grinnell,	Porter,	Winsor,
Griswold,	Pratt,	Woodman,
Grosebeck,	Rankin,	Woodworth,
Henry Hayden,	Raymond,	Speaker,
Hemingway,	Read,	

65

NAYS.

Mr. Bentley,	Mr. Denman,	Mr. H. A. Hayden,
Davis,	Gargett,	Haze,

6

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend section one of an act entitled an act to provide for the appointment of circuit court commissioners, in cases of vacancy, approved February 2, 1855, being section 3998 of the compiled laws,

And to inform the House that the Senate has amended the same by striking out, in line five, (5,) the words "The people of the State of Michigan enact;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

On motion of Mr. Mason,

The bill was referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled joint resolution:

Joint resolution in regard to certain property, &c., in possession of the late State Geologist;

And to inform the House that the Senate has amended the same by inserting, in line 7, after the word "survey," the words "excepting such specimens as have been deposited in, or distributed to any of the State institutions of learning, according to law;" also, by striking out "&c.," in the title;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Williams moved that the House concur in the amendments made to the bill, by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Gaylord,	Mr. Porter,
Aldrich,	Green,	Rankin,
Barnes,	Grinnell,	Raymond,
Bentley,	Griswold,	Read,
Betts,	H. A. Hayden,	Slafter,
Bliss,	Henry Hayden,	Spencer,
Bowen,	Haze,	Sprague,
Buell,	Hemingway,	G. A. Smith,
Cobb,	Hodgkinson,	T. G. Smith,
Combes,	Hood,	Abram Smith,
Congdon,	Howard,	Aura Smith,
Cowan,	Howell,	Stewart,
Crego,	Jenison,	Sweezy,
Davis,	Keeney,	Thayer,
Deare,	Mallary,	Thomas,
Denman,	McKernan,	Toll,
Dockeray,	McMartin,	Voorheis,
Dow,	H. Miller,	Wheeler,
Eldredge,	J. C. Miller,	White,
Fifield,	John Miller,	Williams,
Fitch,	H. C. Morton,	Winsor,
Fowle,	Mosher,	Woodman,
Freeman,	Pendill,	Woodworth,
Gargett,	Piper,	Speaker, 72

NAYS.

Mr. Allen,	Mr. Grosebeck,	Mr. Weatherby,
Burt,	Parsons,	Wilson,
Clark,	Tinham,	8

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill to amend sections 3786, 3787 and 3788 of the compiled laws, relating to transcripts of judgments in justices' courts, and executions thereon,

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1862. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following entitled joint resolution:

Joint resolution for the relief of James Campbell,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled joint resolution:

Joint resolution for the relief of Conrad Gilmire,

And to inform the House that the Senate has amended the same by striking out the word "appears," in line one, and inserting in lieu thereof, the words "is represented;" also, by striking out the word "appears," in line seven, and inserting in lieu thereof, the words "is represented;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Green moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Grinnell,	Mr. Porter,
Aldrich,	Griswold,	Rankin,
Betts,	Grosebeck,	Raymond,
Bowen,	H. A. Hayden,	Read,
Buell,	Henry Hayden,	Slafter,
Clark,	Haze,	Spencer,
Cobb,	Hodgkinson,	Sprague,
Combes,	Hood,	G. A. Smith,
Congdon,	Howard,	T. G. Smith,
Cowan,	Jenison,	Abram Smith,
Crego,	Keeney,	Stewart,
Davis,	Mallary,	Sweezey,
Deare,	Mason,	Thayer,
Denman,	McKernan,	Thomas,
Dockeray,	McMartin,	Toll,
Dow,	H. Miller,	Voorheis,
Eldredge,	J. C. Miller,	Weatherby,
Fifield,	John Miller,	Wheeler,
Fitch,	H. C. Morton,	White,
Fowle,	Mosher,	Williams,
Freeman,	Parsons,	Woodman,
Gargett,	Pendill,	Woodworth,
Gaylord,	Piper,	Speaker,
Green,		70

NAYS.

Mr. Allen,	Mr. Howell,	Mr. Wilson,
Bliss,	Aura Smith,	Winsor,
Hemingway,	Tinham,	8

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 26, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to authorize the building of a bridge across the Menominee river, and to appropriate six sections of swamp lands to the county of Menominee, for the purpose of building the same,

And to inform the House that the Senate has amended the same by striking out all after the word "person," in line 6, section 3, to the word "county," in line 7; also, by striking out the word "completion," in line 1, section 8, and inserting the word "fullfilment," in lieu thereof; also, by inserting after the word "supervisors," in lines 4 and 5, section 8, the words "certifying that said bridge is completed in accordance with the terms of said contract;" also, by striking out all of section 9, after the word "made," in line 4;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the Senators elect.

Very respectfully,

WM. A. BRYCE,
Secretary of the Senate.

On motion of Mr. Howell,

The bill was referred to Mr. Toll, as a select committee to consider the amendments, and report thereon to the House.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 27, 1863. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House the following entitled bill:

A bill giving construction to section 8, of act 138, of the laws of 1859, in relation to the trial of offences by information,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February, 27, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following concurrent resolution:

Resolved, (the Senate concurring,) That the State Printer be and is hereby directed to print a sufficient number of copies of House bill No. 52, as amended by the Senate, and concurred in by the House, the same being "A bill to legalize the action of townships and counties in raising bounties for volunteers," and mail one copy of said act to each supervisor and township clerk of each township, and to the mayor and city clerk of each city, without delay,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. G. A. Smith moved to discharge the committee of the whole from the further consideration of House bill No. 50, entitled

'A bill to amend section 5 of an act entitled an act for the incorporation of insurance companies, and defining their powers and duties, approved February 15, 1859;

Fitch,
Fowle,

Pratt,
Rankin,

Speaker,

59

NAYS.

Mr. Clark,
Crego,
Deare,
Dockeray,
Eldredge,
Freeman,
Gargett,
Green,

Mr. Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Hodgkinson,
J. C. Miller,
John Miller,

Mr. Tinham,
Warner,
Wheeler,
White,
Wilson,
Woodman,
Woodworth,

22

Title agreed to.

House bill No. 69, entitled

A bill to organize the townships of Lincoln and Fair Haven,
in Huron county,

Was read a third time and passed, a majority of all the mem-
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
H. C. Morton,
Mosher,
Parsons,

Mr. Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezy,
Thayer,
Thomas,
Tinham,
Toll,
Voorheis,
Weatherby,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,

Fowle,
Freeman,
Gargett,

Pendill,
Piper,
Porter,

Woodworth,
Speaker,

80

NAYS.

0

Mr. Dixon moved to amend the title by striking out the word
"Lincoln," and inserting "Sigel," in lieu thereof;

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Dixon,

By a vote of two-thirds of all the members elect, the bill was
ordered to take immediate effect.

House bill No. 66, entitled

A bill to authorize the General Synod of the Reformed Pro-
testant Dutch Church, to hold and convey certain real estate,

Was read a third time and passed, a majority of all the mem-
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldredge,
Fitch,
Fowle,
Freeman,

Mr. Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,

Mr. Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Thomas,
Tinharn,
Toll,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodman,

Gargett,
Gaylord,
Green,

Porter,
Pratt,

Woodworth,
Speaker,

79

NAYS.

Mr. Haze,

1

Mr. Hemingway moved to amend the title, by striking out the words "and convey;"

Which motion prevailed.

The title, as amended, was agreed to.

On motion of Mr. Howard,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 26, entitled

A bill to provide for the paying, or funding, of the bounty fund, raised by the citizens of Detroit,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Fellows,
Fitch,
Fowle,
Freeman,
Gargett,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. O. Miller,
Mosher,
Pendill,
Piper,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
Aura Smith,
Stewart,
Thayer,
Tinham,
Toll,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Winsor,
Woodman,
Speaker,

70

NAYS.

0

Mr. Parsons moved to amend the title by striking out the word "the," before the word "paying," and the word "of," after the word "funding," in the title;

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Mason,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 74, entitled

A bill to provide for the improvement of a certain road in the counties of Eaton and Ingham,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows: .

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Barnes,
Bentley,
Betts,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dockeray,
Dow,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
Mosher,
Parsons,
Pendill,
Piper,

Mr. Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Aura Smith,
Sweezey,
Thayer,
Thomas,
Tinharn,
Toll,
Voorheis,
Warner,
Weatherby,
White,
Wheeler,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker,

NAYS.

Mr. Stewart,

1

Title agreed to.

House bill No. 162, entitled

A bill to authorize the city of Saginaw to raise money to aid in the construction of the Amboy, Lansing and Traverse Bay Railroad,

Was read a third time and passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,

Mr. Keeney,

Mr. Piper,

Barnes,

Gargett,

Porter,

Bentley,

Gaylord,

Pratt,

Betts,

Green,

Rankin,

Bliss,

Grinnell,

Read,

Bowen,

Griswold,

Slafter,

Buell,

Grosebeck,

Spencer,

Burt,

H. A. Hayden,

Sprague,

Clark,

Henry Hayden,

T. G. Smith,

Cobb,

Haze,

Aura Smith,

Combes,

Hemingway,

Sweezey,

Congdon,

Hodgkinson,

Thayer,

Cowan,

Howard,

Thomas,

Crego,

Jenison,

Toll,

Davis,

Mallary,

Voorheis,

Denman,

Mason,

Weatherby,

Dixon,

McKernan,

White,

Dow,

J. C. Miller,

Williams,

Eldredge,

John Miller,

Wilson,

Fifield,

H. C. Morton,

Winsor,

Fitch,

Mosher,

Woodman,

Fowle,

Parsons,

Woodworth,

Freeman,

Pendill,

Speaker,

69

NAYS.

Mr. Allen,

Mr. Howell,

Mr. Tinham,

Dockeray,

H. Miller,

Wheeler,

Hood,

Raymond,

8

Title agreed to.

On motion of Mr. Gaylord,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Read, by unanimous consent, moved that the rules be suspended, and all bills now on the order of third reading, be placed upon their final passage;

Which motion prevailed.

House bill No. 94, entitled

A bill to amend section 1662, of chapter 52, of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was read a third time, and pending the taking of the vote on its passage,

Mr. Warner moved to lay the bill on the table;

Which motion did not prevail.

Mr. Howell moved that the bill be indefinitely postponed;

Mr. Mason demanded the yeas and nays;

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bowen,
Burt,
Cobb,
Combes,
Cowan,
Crego,
Davis,
Denman,
Dixon,
Dockeray,
Dow,
Fitch,
Fowle,
Freeman,
Gargett,
Green,
Grinnell,

Mr. Griswold,
H. A. Hayden,
Haze,
Hemingway,
Hood,
Howell,
Jenison,
Mallary,
McMartin,
H. Miller,
J. C. Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,
Piper,
Porter,
Pratt,
Rankin,
Raymond,

Mr. Read,
Slafter,
Spencer,
Sprague,
G. A. Smith,
Abram Smith,
Stewart,
Sweezey,
Thayer,
Toll,
Voorheis,
Warner,
Weatherby,
Wheeler,
White,
Williams,
Wilson,
Woodman,
Woodworth,
Speaker,

61

NAYS.

Mr. Bliss,
Buell,

Mr. Grosebeck,
Henry Hayden,

Mr. McKernan,
John Miller,

Clark,
Deare,
Eldredge,
Gaylord,

Hodgkinson,
Howard,
Keeney,

T. G. Smith,
Tinham,
Winsor,

16

Mr. Howell moved to re-consider the vote whereby the bill was indefinitely postponed.

Mr. Hemingway moved to lay the motion on the table;
Which motion prevailed.

House bill No. 131, entitled

A bill to repeal act 191, of the session laws of 1859, entitled an act to incorporate the village of Orion,

Was read a third time and passed, a majority of all the member elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,
H. C. Morton,
Parsons,
Pendill,
Piper,
Porter,

Mr. Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinham,
Toll,
Voorheis,
Warner,
Weatherby,
White,
Williams,
Wilson,
Winsor,
Woodman,
Woodworth,
Speaker.

74

NAYS.

0

Title agreed to.

On motion of Mr. Hemingway,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 120, entitled

A bill to repeal act No. 285, of session laws of 1848, being an act to provide for the construction and improvement of the northern wagon road from Port Huron, in the county of St. Clair, through the counties of Lapeer and Genesee, to Corunna, in the county of Shiawassee,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,	Mr. Gaylord,	Mr. Porter,
Allen,	Green,	Pratt,
Bentley,	Grinnell,	Rankin,
Bliss,	Griswold,	Raymond,
Bowen,	Grosebeck,	Slafter,
Buell,	H. A. Hayden,	Spencer,
Burt,	Henry Hayden,	Abram Smith,
Clark,	Haze,	Stewart,
Cobb,	Hemingway,	Sweezey,
Combes,	Hodgkinson,	Thayer,
Congdon,	Hood,	Tinham,
Cowan,	Keeney,	Toll,
Crego,	Mallary,	Voorheis,
Denman,	McKernan,	Weatherby,
Dixon,	McMartin,	Wheeler,
Dockeray,	H. Miller,	White,
Dow,	J. C. Miller,	Williams,
Eldredge,	H. C. Morton,	Winsor,
Fitch,	Mosher,	Woodworth,
Fowle,	Pendill,	Speaker,
Gargett,	Piper,	

62

NAYS.

Mr. Parsona,

1

Title agreed to.

House bill No. 142, entitled

A bill to amend section 6, of act No. 59, of session laws of 1853,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cowan,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
John Miller,
H. C. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Warner,
Weatherby,
Wheeler,
White,
Winsor,
Speaker,

NAYS.

Mr. Denman,
Haze,
J. C. Miller,

Mr. Voorheis,
Williams,

Mr. Woodman,
Woodworth,

Title agreed to.

House bill No. 98, entitled

A bill to change the name of the township of Waterloo, in Tuscola county, to Elmwood,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,

Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,

Clark,	Hodgkinson,	Abram Smith,
Combes,	Hood,	Aura Smith,
Congdon,	Howard,	Stewart,
Cowan,	Howell,	Sweezey,
Crego,	Jenison,	Thayer,
Deare,	Keeney,	Tinkham,
Denman,	Mallary,	Toll,
Dixon,	McKernan,	Voorheis,
Dockeray,	H. Miller,	Weatherby,
Dow,	J. C. Miller,	Wheeler,
Eldredge,	John Miller,	White,
Fifield,	Mosher,	Williams,
Fitch,	Parsons,	Woodman,
Fowle,	Pendill,	Woodworth,
Freeman,	Piper,	Speaker,
Gargett,		70
	NAYS.	0

Title agreed to.

Mr. Parsons moved that the House take a recess until 2 o'clock;

Which motion did not prevail.

House bill No. 167, entitled

A bill to provide for the collection of taxes assessed upon property in the village of Bay City,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Grosebeck,	Mr. Piper,
Aldrich,	H. A. Hayden,	Porter,
Allen,	Henry Hayden,	Pratt,
Bentley,	Haze,	Rankin,
Buell,	Hemingway,	Read,
Burt,	Hodgkinson,	Spencer,
Clark,	Hood,	Sprague,
Cobb,	Howard,	G. A. Smith,
Congdon,	Howell,	T. G. Smith,
Cowan,	Jenison,	Abram Smith,
Crego,	Keeney,	Aura Smith,
Davis,	Mallary,	Stewart,
Deare,	Mason,	Sweezey,
Denman,	McKernan,	Thayer,
Dixon,	McMartin,	Toll,
Dockeray,	H. Miller,	Voorheis,

Dow,
Eldredge,
Fifield,
Fitch,
Gargett,
Griswold,

J. C. Miller,
John Miller,
H. C. Merton,
Mosher,
Parsons,
Pendill,

Weatherby,
Wheeler,
White,
Williams,
Woodman,
Woodworth, 67

NAYS.

Title agreed to.

On motion of Mr. Henry Hayden,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 15, entitled

A bill to amend sections 1, 3, 4, 5, 6, 7 and 8, of act No. 233, of session laws of 1859, entitled an act for the construction of a State road from St. Louis, in Gratiot county, by way of Alma and the geographical centre of Montcalm county, to the State road from Greenville, in Montcalm county, to the Big Rapids, on the Muskegon river, and add one new section to stand as section 9,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Orego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldredge,
Fifield,
Fitch,

Mr. Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Sweezy,
Thayer,
Tinham,
Toll,
Voorheis,
Weatherby,
Wheeler,

Fowle,
Freeman,
Gargett,
Gaylord,
Green,

H. O. Morton,
Mosher,
Parsons,
Pendill,

Williams,
Winsor,
Woodman,
Speaker,

70

NAYS.

0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Howell,

The House adjourned till Monday morning, at 9 o'clock.

Lansing, Monday, March 2, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent, without leave, at roll call, Messrs. Davis, Henry Hayden, and Sprague.

Mr. Fowle asked and obtained leave of absence for Mr. Davis, for an indefinite time, on account of sickness.

Mr. Hemingway asked and obtained leave of absence for Mr. Henry Hayden, for an indefinite time, on account of sickness.

Mr. Parsons asked and obtained leave of absence for Mr. Sprague, for the day.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending

that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1 of an act entitled an act to provide for the appointment of circuit court commissioners, in cases of vacancy, approved February 2, 1855, being section 3998 of the compiled laws,

Which the Senate had amended by striking out in line 5, the words "The People of the State of Michigan enact, that,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the Senate amendment be non-concurred in, for the following reasons: the amendment proposed in this bill being to the 1st section of the act to be amended, if the Senate amendment become the law, and the words stricken out by them are not retained, the amended act will be left without an enacting clause.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

Mr. Howell moved that the House concur in the amendment made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Eldredge,

NAYS.

Mr. Aldrich,
Bentley,
Betts,

Mr. Grinnell,
Grosebeck,
H. A. Hayden,

Mr. Raymond,
Read,
Slafter,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 120, entitled

A bill to repeal act No. 285, of session laws of 1848, being an act to provide for the construction and improvement of the northern wagon road from Port Huron, in the county of St. Clair, through the counties of Lapeer and Genesee, to Corunna, in the county of Shiawassee,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,
Orego,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fitch,
Fowle,
Gargett,

Mr. Gaylord,
Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Keeney,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
H. C. Morton,
Mosher,
Pendill,
Piper,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Slafter,
Spencer,
Abram Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Voorheis,
Weatherby,
Wheeler,
White,
Williams,
Winsor,
Woodworth,
Speaker,

62

NAYS.

Mr. Parsona,

1

Title agreed to.

House bill No. 142, entitled

A bill to amend section 6, of act No. 59, of session laws of 1858,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 27, chapter 106, of revised statutes of 1846, being section 4465 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the Governor to appoint a circuit court commissioner for the county of Oakland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 55, being

A bill to amend sections 3786, 3787 and 3788, of the com-

piled laws, relating to transcripts of judgments in justices' courts, and executions issued thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 54, being

A bill giving construction to section 8, of act 138, of the laws of 1859, in relation to trial of offences by information,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize the boards of supervisors of the several counties of this State to cancel and destroy orders that may have been drawn on any of the funds of the county, and remaining uncalled for and on file for the period of six years and upwards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cowan,
Deare,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,
Gaylord,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,
John Miller,
H. O. Morton,
Mosher,
Parsons,
Pendill,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
Sprague,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Warner,
Weatherby,
Wheeler,
White,
Winsor,
Speaker,

69

NAYS.

Mr. Denman,
Haze,
J. C. Miller,

Mr. Voorheis,
Williams,

Mr. Woodman,
Woodworth,

7

Title agreed to.

House bill No. 98, entitled

A bill to change the name of the township of Waterloo, in Tuscola county, to Elmwood,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,

Mr. Green,
Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,

Porter,
Rankin,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,

1863.]

Clark,
Combes,
Congdon,
Cowan,
Crego,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Eldredge,
Fifield,
Fitch,
Fowle,
Freeman,
Gargett,

Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
McKernan,
H. Miller,
J. C. Miller,
John Miller,
Mosher,
Parsons,
Pendill,
Piper,

Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Tinharn,
Toll,
Voorheis,
Weatherby,
Wheeler,
White,
Williams,
Woodman,
Woodworth,
Speaker,

70

NAYS.

0

Title agreed to.

Mr. Parsons moved that the House take a recess until 2 o'clock;

Which motion did not prevail.

House bill No. 167, entitled

A bill to provide for the collection of taxes assessed upon property in the village of Bay City,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Allen,
Bentley,
Buell,
Burt,
Clark,
Cobb,
Congdon,
Cowan,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dockeray,

Mr. Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
Mason,
McKernan,
McMartin,
H. Miller,

Mr. Piper,
Porter,
Pratt,
Rankin,
Read,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Stewart,
Sweezey,
Thayer,
Toll,
Voorheis,

Dow,
Eldredge,
Fifield,
Fitch,
Gargett,
Griswold,

J. C. Miller,
John Miller,
H. C. Merton,
Mosher,
Parsons,
Pendill,

Weatherby,
Wheeler,
White,
Williams,
Woodman,
Woodworth, 67

NAYS.

Title agreed to.

On motion of Mr. Henry Hayden,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 15, entitled

A bill to amend sections 1, 3, 4, 5, 6, 7 and 8, of act No. 233, of session laws of 1859, entitled an act for the construction of a State road from St. Louis, in Gratiot county, by way of Alma and the geographical centre of Montcalm county, to the State road from Greenville, in Montcalm county, to the Big Rapids, on the Muskegon river, and add one new section to stand as section 9,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Aldrich,
Allen,
Bentley,
Bliss,
Bowen,
Buell,
Burt,
Clark,
Combes,
Congdon,
Crego,
Davis,
Deare,
Denman,
Dixon,
Dow,
Eldredge,
Fifield,
Fitch,

Mr. Grinnell,
Griswold,
Grosebeck,
H. A. Hayden,
Henry Hayden,
Haze,
Hemingway,
Hodgkinson,
Hood,
Howard,
Howell,
Jenison,
Keeney,
Mallary,
McKernan,
McMartin,
H. Miller,
J. C. Miller,
John Miller,

Mr. Piper,
Porter,
Pratt,
Rankin,
Raymond,
Read,
Spencer,
Sprague,
G. A. Smith,
T. G. Smith,
Abram Smith,
Aura Smith,
Sweezey,
Thayer,
Tinham,
Toll,
Voorheis,
Weatherby,
Wheeler,

Fowle,
Freeman,
Gargett,
Gaylord,
Green,

H. C. Morton,
Mosher,
Parsons,
Pendill,

Williams,
Winsor,
Woodman,
Speaker,

70

NAYS.

0

Title agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Howell,

The House adjourned till Monday morning, at 9 o'clock.

Lansing, Monday, March 2, 1868.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Absent, without leave, at roll call, Messrs. Davis, Henry Hayden, and Sprague.

Mr. Fowle asked and obtained leave of absence for Mr. Davis, for an indefinite time, on account of sickness.

Mr. Hemingway asked and obtained leave of absence for Mr. Henry Hayden, for an indefinite time, on account of sickness.

Mr. Parsons asked and obtained leave of absence for Mr. Sprague, for the day.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending

that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howard,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 1 of an act entitled an act to provide for the appointment of circuit court commissioners, in cases of vacancy, approved February 2, 1855, being section 3998 of the compiled laws,

Which the Senate had amended by striking out in line 5, the words "The People of the State of Michigan enact, that,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the Senate amendment be non-concurred in, for the following reasons: the amendment proposed in this bill being to the 1st section of the act to be amended, if the Senate amendment become the law, and the words stricken out by them are not retained, the amended act will be left without an enacting clause.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

Mr. Howell moved that the House concur in the amendment made to the bill by the Senate;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Eldredge,

1

NAYS.

Mr. Aldrich,
Bentley,
Betts,

Mr. Grinnell,
Grosebeck,
H. A. Hayden,

Mr. Raymond,
Read,
Slafter,

piled laws, relating to transcripts of judgments in justices' courts, and executions issued thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 54, being

A bill giving construction to section 8, of act 138, of the laws of 1859, in relation to trial of offences by information,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize the boards of supervisors of the several counties of this State to cancel and destroy orders that may have been drawn on any of the funds of the county, and remaining uncalled for and on file for the period of six years and upwards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section 27, chapter 106, of revised statutes of 1846, being section 4465 of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to authorize the Governor to appoint a circuit court commissioner for the county of Oakland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 55, being

A bill to amend sections 3786, 3787 and 3788, of the com-

piled laws, relating to transcripts of judgments in justices' courts, and executions issued thereon,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 54, being

A bill giving construction to section 8, of act 138, of the laws of 1859, in relation to trial of offences by information,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. TITUS PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to authorize the boards of supervisors of the several counties of this State to cancel and destroy orders that may have been drawn on any of the funds of the county, and remaining uncalled for and on file for the period of six years and upwards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

G. E. READ, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Read,

The bill was placed on the order of third reading.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the county of Antrim,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hemingway,

The House concurred in the amendment made by the committee.

On motion of Mr. Howell,

The bill was ordered engrossed for a third reading.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to change the name of the township of Ottawa, in Ottawa county, to Grand Haven,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred
A bill to change the name of the township of Lee, in Allegan
county, to Heoker,

Respectfully report that they have had the same under con-
sideration, and have directed me to report the same back to
the House, without amendment; and recommend that it do pass
and ask to be discharged from the further consideration of the
subject.

JAMES GARGETT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the
whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to authorize the flooding of Thunder Bay River, to in-
crease the capacity of its navigation,

Respectfully report that they have had the same under con-
sideration, and have directed me to report the same back to the
House, without amendment, and recommend that it do pass,
and ask to be discharged from the further consideration of the
subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of
the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to divide the Port Huron, Bay City and Lansing State
road into two sections, and appoint one commissioner for each

Respectfully report that they have had the same under con-
sideration, and have directed me to report the same back to the
House, without amendment, and recommend that it do pass,
and ask to be discharged from the further consideration of the
subject.

J. B. WILSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing, to whom was referred

Joint resolution providing for the publication and distribution of the Adjutant General's Report, for the year 1863, and during the existence of the rebellion,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

F. H. RANKIN, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing, to whom was referred

Joint resolution relative to the binding of the journals, documents and laws of the Legislature, for the year 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

F. H. RANKIN, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to legalize the expenditures of certain moneys in certain school districts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, recommending that

the substitute be adopted, and that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. HAZE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

REPORTS OF SELECT COMMITTEES.

The select committee, to whom was referred House bill No. 30, as amended by the Senate, entitled

A bill to authorize the building of a bridge across the Menominee river, and to appropriate six sections of swamp lands to the county of Menominee, for the purpose of building the same,

Beg leave to report that after due consideration of the matter, your committee would recommend that the House do concur in the amendments made to the bill by the Senate, and ask to be discharged from the further consideration of the subject.

ALEXANDER TOLL.

Report accepted and committee discharged.

Mr. Pendill moved that the House concur in the amendments made to the bill, by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Bentley,
Betts,
Bowen,
Buell,
Burt,
Clark,
Cobb,
Combes,
Congdon,
Cowan,

Mr. Freeman,
Gargett,
Green,
Griswold,
Grosebeck,
Haze,
Hodgkinson,
Hood,
Howell,
Jenison,
Keeney,
Luther,

Mr. Porter,
Pratt,
Rankin,
Raymond,
Read,
Spencer,
T. G. Smith,
Aura Smith,
Stewart,
Sweezy,
Tinham,
Toll,

Orego,
Deare,
Denman,
Dixon,
Dockeray,
Dow,
Fifield,
Fitch,
Fowle,

Mallary,
Mason,
McMartin,
H. Miller,
J. C. Miller,
H. C. Morton,
Parsons,
Pendill,
Piper,

Voorheis,
Weatherby,
Wheeler,
White,
Wilson,
Winsor,
Woodman,
Speaker,

62

NAYS.

0

The bill was then referred to the committee on engrossment and enrollment, for enrollment.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, February 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to the House the following concurrent resolution:

Resolved, (the House concurring,) That from and after 12 o'clock noon, on Tuesday, the 17th day of March next, the two Houses will transact no business, other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses, by the Secretary and Clerk, and that the time of final adjournment of this Legislature shall be Thursday, the 19th day of March next, at 12 o'clock, noon, of that day, .

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

WM. A. BRYCE;

Secretary of the Senate.

Mr. Hemingway moved to lay the resolution on the table.

Mr. Woodman demanded the yeas and nays;

The demand was seconded and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Betts, Bliss, Buell, Burt, Cobb, Cowan, Deare, Denman, Dixon, Eldredge, Fifield, Fitch, Fowle, Freeman, Gargett, Gaylord,	Mr. Haze, Hemingway, Hood, Howell, Jenison, Keeney, McMartin, H. Miller, John Miller, H. C. Morton, Parsons, Pendill, Pratt, Rankin, Read, Slafter,	Mr. Spencer, T. G. Smith, Abram Smith, Stewart, Sweezey, Thayer, Thomas, Tinharn, Voorheis, Warner, Weatherby, Wheeler, White, Williams, Winsor,
--	--	--

47

NAYS.

Mr. Abbott, Aldrich, Allen, Bentley, Bowen, Clark, Combes, Congdon, Crego, Dockeray, Dow,	Mr. Green, Grinnell, Grosebeck, H. A. Hayden, Hodgkinson, Luther, Mallary, Mason, J. C. Miller, Mosher,	Mr. Piper, Porter, Raymond, G. A. Smith, Aura Smith, Toll, Wilson, Woodman, Woodworth, Speaker,
---	--	--

31

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following concurrent resolution:

Resolved, by the House of Representatives, (the Senate concurring,) That the Board of State Auditors be and they are hereby instructed, to enlarge the Hall of the House of Representatives, before the assembling of another session of the Legislature, by extending the same so as to embrace the entrance Hall to the Capitol, and by making the entrance Hall through the present Supreme Court room, and otherwise to improve the

Hall, so as to promote the health and comfort of members, by such changes in the manner of heating the same, as may be found necessary,

And to inform the House that the Senate has adopted the following as a substitute therefor:

Resolved, by the House of Representatives, (the Senate concurring), That the Board of State Auditors be and they are hereby authorized, before the assembling of another session of the Legislature, to make such improvements in heating and ventilating the Hall of the House of Representatives as in their judgment are necessary to promote the health and comfort of the members;

In the passage of which, as substituted, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Wilson moved that the House concur in the adoption of the substitute;

Which motion did not prevail.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to re-transmit to the House the following entitled joint resolution:

Joint resolution tendering the thanks of the State to the Michigan soldiers in the field;

Together with the substitute therefor, adopted by the House, entitled

Joint resolution of thanks to the Michigan regiments and batteries in the field;

And to inform the House that the Senate does not concur in said substitute.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. Wilson moved that the House insist upon its substitute;
Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, February 28, 1863. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return to the House the following entitled bill:

A bill to amend an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859, and an act amendatory thereto, approved January 17, 1862,

Which the House amended by striking out all after the word "auditors," in line 6, and all of lines 7 and 8, of section 1;

Also, by striking out the proviso at the end of recited section 4;

And to inform the House that the Senate does not concur in said amendments.

Very respectfully,

WM. A. BRYCE,

Secretary of the Senate.

Mr. J. C. Miller moved that the House insist upon its amendments;

Which motion prevailed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Howell offered the following:

Resolved, That the several committees be requested to report back to the House, the several appropriation and bills of a general character, as early as to-morrow morning;

Which was adopted.

Mr. Howell offered the following:

Resolved, That a select committee of three be appointed, to report to the House the titles and situation of the several appropriation and bills of a general character, that such action may be taken thereon, as the House shall direct;

Which was adopted.

The Speaker announced the appointment of Messrs. Howell, Denman and Howard, as such committee.

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 51, entitled

A bill to authorize the board of supervisors of the several counties of this State, to cancel and destroy orders that may have been drawn on any of the funds of the county, and remaining uncalled for and on file, for the period of six years and upwards,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Aldrich,
Betts,
Buell,
Burt,
Cobb,
Combes,
Cowan,
Denman,
Dockeray,
Eldredge,
Fifield,
Fitch,
Freeman,
Grinnell,
Griswold,

Mr. Grosebeck,
Haze,
Hood,
Howell,
Jenison,
Keeney,
Luther,
Mallary,
McMartin,
J. C. Miller,
H. C. Morton,
Pendill,
Piper,
Porter,
Pratt,

Mr. Rankin,
Raymond,
Read,
Slafter,
Spencer,
G. A. Smith,
T. G. Smith,
Abram Smith,
Thayer,
Toll,
Voorheis,
Weatherby,
Williams,
Winsor,
Woodworth,

46

NAYS.

Mr. Bentley,
Bliss,
Bowen,
Clark,
Congdon,
Crego,
Deare,
Dixon,
Dow,
Fowle,
Gargett,

Mr. Gaylord,
H. A. Hayden,
Hemingway,
Hodgkinson,
Howard,
Mason,
H. Miller,
John Miller,
Mosher,
Parsons,

Mr. Aura Smith,
Stewart,
Swezey,
Tinham,
Warner,
Wheeler,
White,
Wilson,
Woodman,
Speaker,

31

Mr. Hemingway gave notice that on to morrow he would move to re-consider the vote whereby the House refused to pass the bill.

GENERAL ORDER.

On motion of Mr. Wilson,

The House went into committee of the whole on the general order,

Mr. Sweezey in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills:

1. A bill to change the name of the township of Allison, in Lapeer county, to Burnside;

2. A bill to set off a portion of the township of Springwells, in the county of Wayne, and to attach the same to the township of Greenfield;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee have also had under consideration, the following entitled bill:

3. A bill to amend chapter 108, of the compiled laws of the State of Michigan, entitled of divorce,

And have stricken out all after the enacting clause thereof, and ask the concurrence of the House therein.

The committee have also had under consideration, the following entitled bills:

4. A bill to provide for the weight, per bushel, of certain grain, dried fruit, coal, vegetables and products;

5. A bill to amend section 2,501 of the compiled laws;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The first and second named bills were placed on the order of third reading.

On motion of Mr. Howell,

The House concurred in the action of the committee on the third named bill.

Mr. Mason moved that the House concur in the amendments made to the fourth named bill, except the amendment made to the 24th line, of section 1;

Which motion prevailed.

The House concurred in the amendment made by the committee, to the 24th line, of section 1.

Mr. Mason moved to amend the bill, by inserting the word "Michigan," between the words "of," and "salt," in the 34th line, of section 1;

Which motion prevailed.

On motion of Mr. Howell,

The bill was ordered engrossed for a third reading.

On motion of Mr. Haze,

The House concurred in the amendment made by the committee to the fifth named bill.

Mr. Hemingway moved to amend the bill by striking out all of line 3, after the word "commissioner," to and including the word "lands," in the fourth line;

Which motion did not prevail.

Mr. J. C. Miller moved to amend the bill by adding at the end of section 1, the following: "*Provided*, The holder of the said certificate shall not surrender any land back to the State,"

Which motion did not prevail.

On motion of Mr. Howell,

The bill was placed on the order of third reading.

On motion of Mr. Haze,

The House took a recess until this afternoon, at 2 o'clock.

AFTERNOON SESSION.

2 o'clock P. M.

The House met, and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Mason,

The House went into committee of the whole on the general order,

Mr. Burt in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills:

1. A bill to amend section 109, of chapter 10, it being section 457 of the compiled laws, relative to oaths of office of notaries public;

2. A bill to amend section 2, of act No. 159, of session laws of 1861, granting right of way to the Grand River Valley railroad company, on certain lands of this State, and for other purposes;

3. A bill to appropriate certain taxes for the improvement of a certain road, in the counties of Eaton and Barry;

4. A bill to amend section 1 of an act to incorporate the village of Dundee, approved February 10, 1855;

5. A bill to authorize the Governor to appoint a commissioner for the west part of the Sand Beach and Bay City State road, and to allow said commissioner to contract and work said road from the west;

6. A bill for the appointment of trustees by the probate courts, for the State of Michigan;

7. A bill for the better regulation of the sale of poisons;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee have also had under consideration, the following entitled bills:

8. A bill to prevent the spreading of Canada thistles, in the State of Michigan;

9. A bill to amend an act entitled an act relative to levies of executions on real estate, approved January 17, 1862;

10. A bill to provide for constructing a ditch, or drain, through Black River swamp, in Sanilac county;

11. A bill to provide for the re-organization of the judicial districts of the State;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee have also had under consideration, the following entitled bill:

12. A bill to authorize the Auditor General to refund money paid for taxes, and on tax sales, in certain cases;

And report the same back to the House, without recommendation.

The committee have also had under consideration, the following entitled bill:

13. A bill to amend section 5, of chapter 20, (1017,) of the compiled laws, relative to the assessment of highway labor;

Have struck out all after the enacting clause of the bill, and ask the concurrence of the House therein.

EDWIN BURT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Howell,

The first, second, third, fourth, fifth, sixth and seventh named bills, were placed on the order of third reading.

On motion of Mr. Parsons,

The House concurred in the amendments made by the committee to the eighth named bill.

Mr. J. C. Miller moved that the bill be re-committed to the committee on agriculture and manufactures;

Which motion did not prevail.

Mr. J. C. Miller moved to amend the bill by inserting after the word "overseer," wherever it occurs in section 3, the words "or commissioners;"

Which motion prevailed.

Mr. Thayer moved to amend the bill by striking out the word "ten," in the 6th line of section 1, and inserting in lieu thereof, the word "twenty;"

Which motion did not prevail.

On motion of Mr. Deare,

The bill was ordered engrossed for a third reading.

On motion of Mr. Hemingway,

The amendments made by the committee to the ninth named bill were concurred in, and the bill was ordered engrossed for a third reading.

On motion of Mr. Mason,

The House concurred in the amendments made by the committee to the tenth named bill.

Mr. Erskine moved to amend the bill by striking out the word "two," in the first line of section 3, and inserting the word "four," in place thereof;

Which motion prevailed.

On motion of Mr. Hemingway,

The bill was ordered engrossed for a third reading.

On motion of Mr. Read,

The House concurred in the amendments made by the committee to the eleventh named bill.

Mr. Parsons moved to amend the bill by adding at the end of section 2, the following: "*Provided*, That nothing in this act contained, shall be so construed as to remove any judge out of office;

Which motion prevailed.

Mr. Denman moved that the bill be re-committed to the committee on the judiciary;

Which motion did not prevail.

On motion of Mr. Howell,

The bill was ordered engrossed for a third reading.

On motion of Mr. Parsons,

The twelfth named bill was laid on the table.

Mr. Howell moved to amend the thirteenth named bill by adding at the end of section one, the following: "*Provided, That no highway tax shall be assessed or collected in any surveyed township in which there is no highway, and that all highway taxes collected shall be expended in the surveyed townships in which the same are assessed;*"

Pending which,

On motion of Mr. Howell,

The bill was laid on the table.

On motion of Mr. Mason,

The House adjourned until to-morrow morning, at 9 o'clock.

Lansing, Tuesday, March 3, 1863.

The House met, pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Potter.

Roll called: quorum present.

Absent without leave, at roll call, Messrs. Barnes and Wheeler.

Mr. Woodworth asked and obtained leave of absence for Mr. Barnes, for an indefinite time, on account of sickness.

REPORTS OF STANDING COMMITTEES.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to provide for the repayment of moneys advanced by citizens of Kalamazoo county, to pay bounties to volunteers mustered from this State into the military service of the United States,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to relieve the Saginaw and Alma Plank Road Company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill to repeal act No. 133, of the session laws of 1861, approved March 12, 1861, the same being an act to provide for the manner of equalizing the assessment rolls, by the board of supervisors of the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

A bill making appropriations in aid of the State Agricultural College, and the Michigan School of Homeopathy and Surgery,

Have had the same under consideration, and ordered their chairman to report thereon.

By act of Congress, approved January 25, 1836, a large amount of land was granted to this State for the University, and the purpose of the grant expressed in these words: "to be appropriated solely *for the use and support* of such University, in such manner as the *Legislature may prescribe.*"

In anticipation of the funds to arise from sales of these lands, and on the pledge of the same in payment of principal and interest therefor, the Legislature, by an act approved April 6, 1838, loaned to the University, the bonds of the State to the amount of \$100,000, to enable it to erect buildings, and procure other necessities contemplated in the grant, by the terms "for the *use* and support of such University."

By a subsequent act of the Legislature, it was provided that certain State scrip, or warrants, might be taken in payment for University lands sold, and the amount of such scrip credited to the University fund to cancel so much of the \$100,000 debt.

These amounts were credited to the University, from time to time, as they were paid in, and interest at 7 per cent. paid on them to the Regents, after deducting the interest on the \$100,000 loan.

But the principal of the \$10,000 loan was never charged to the University; hence, the full amount of all funds received for University lands sold, whether in cash or scrip, now stands to the credit of the the University, and 7 per interest is annually paid thereon by the State; the State having also taken up the \$100,000 bonds, by money drawn from the general fund, or issued new bonds for them.

As long as the Treasurer was allowed to deduct from the University interest fund the interest due on the bonds, and only credited to the University the surplus, the Institution was not a burthen to the State.

But by an act of the Legislature, approved Feb. 12, 1853, the State Treasurer was directed to credit to the University the *entire* amount of interest arising from the sales of University lands, so that nothing was left in his hands with which to pay the interest or principal on the bonds, consequently these had to be paid out of the general fund.

By subsequent acts of the Legislature, to-wit: acts of February 10, 1855, February 5, 1857, and February 12, 1859, the same direction was given to the State Treasurer, and thus for the last ten years, instead of deducting the \$100,000 from the University fund and paying interest to the Institution on the amount properly due, we have paid on the entire sum; no charge ever having been made for the loan, though not a dollar of it has ever been paid, making in fact, as is acknowledged by the Regents' report for 1857, an annual donation of \$7,000 to that Institution, directly from the Treasury, for the last ten years, amounting in the aggregate, with annual interest, to the sum of over \$96,000 00.

Now, since the University has had the \$100,000 for the last ten years without interest, an amount in the aggregate, of principal and interest, if computed annually, equal to over \$196,000, and has completed substantial, extensive and commodious buildings for all its departments and professors, and has accumulated extensive apparatus and library, being 6,000 volumes in 1855, to which has since been added over \$12,000 worth, and has an income from its own resources, as appears by the last report, of about \$56,000, which is constantly increasing, your committee are of opinion that it is not necessary, for the welfare and support of that Institution, that the State should any longer donate to it the annual sum of \$7,000 as heretofore, and being of the opinion that by a degree of economy far less rigid than that required of the

other colleges and public institutions of the State, the University can so far reduce some of its ordinary and extraordinary expenses as not to be in the least embarrassed, in any of the essential features of its usefulness, by paying out of its ample funds the \$7,000 annually, as the bill now in question provides.

While the amount thus to be paid by the University will, in our opinion, not necessarily embarrass that Institution, now grown to a giant stature, the infant *Agricultural College* just struggling into life, against meddlesome nurses trying to strangle it, will be much nourished and revived by even the small sum proposed to be applied to its aid by this bill.

By an act approved February 12, 1855, the Legislature provided "that there shall *always* be at least one Professor of Homeopathy in the Department of Medicine," in the University.

Though the Regents have been requested and urged by a large number of the most respectable of our citizens, to establish a Professorship, in obedience to said provision, they have persistently refused to do so, claiming to have powers vested in their body, by the Constitution, paramount to those of the Legislature, in relation to the use of the University interest fund, notwithstanding the act of Congress granting the lands, expressly declares it to be "appropriated in such a manner as the *Legislature* may prescribe."

Your committee does not deem it essential in this report, to express their views in relation to the legality, or propriety of the action of the Regents in relation to this subject, but inasmuch as there are in this State, as we are informed and believe, nearly, if not over, 300 practitioners of the Homeopathic School, besides a large number of students who have left the State to attend colleges elsewhere, for want of one at home; and knowing that these physicians, in point of intelligence and moral, worth will compare favorably with any other class of professional men, and knowing, also, that the

200,000 to 300,000 of our fellow citizens who believe in and patronize the Homeopathic practice are from among the most intelligent and respectable property holders of the State, we deem it but just and proper that a part of the amount provided in this bill, should be devoted to instruction in that science.

The University having refused to establish and maintain a Professorship of that School, in defiance to the mandates of the Legislature, on the grounds that the "University Interest Fund," was not subject to the control of legislative action, cannot, certainly, complain of the application to that purpose, of the *funds due the State*, that never formed any part of said fund, especially as it is to be for Professorships not in contact with their own.

In accordance with the principles of economy which should characterize the conduct of all our public institutions, this bill provides that one of the Professors shall perform his services in both schools, and no part of this fund is to be used for the purchase of grounds, or the erection of buildings, these all being furnished free of expense to the State.

By the first section of this bill, the act obliging the State Treasurer to pay over the full amount of the Interest Fund, to the University, is repealed, thus suspending the annual donation of \$7,000 interest heretofore made; and the second section provides for the Treasurer returning the amount of interest due on the debt to the State, and for its application to the purposes contemplated in the bill.

Should this bill become a law and the new school be established in Lansing, without which no funds would be applied to it, there is no doubt but that several of its Professors may become Professors in both, and be retained for the Agricultural College during the spring and summer months and early fall, for a much less salary than they can be procured for where no other salary is paid, thus saving several thousand dollars annually of the expenses in the Agricultural College.

In view of all these considerations, we report the bill back, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. A. SWEEZEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The report was ordered printed.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate joint resolution, entitled

Joint resolution for the relief of James Campbell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the joint resolution, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendments made by the committee.

On motion of Mr. Green,

The joint resolution was placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred joint resolution, entitled

Joint resolution to authorize the Board of State Auditors to audit and pay to H. Miller, the amount necessarily expended by him, in contesting a seat on this floor, against John N. Donaldson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

House, without amendment, recommending that it do not pass, the claim being supported by no State precedent, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Howell,

The joint resolution was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred House bill, entitled,

A bill making appropriations to meet the current expenses of the Reform School for the years 1863 and 1864,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Voorheis,

The House concurred in the amendments made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill making appropriations for the Michigan Asylum for the Insane,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

O. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The House concurred in the amendment made by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to make an appropriation to aid the Michigan State Agricultural Society,

Respectfully report that they have had the same under consideration, and a bill being now before the House making an appropriation for the same purpose, have directed me to report the same back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. DAVIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The bill was laid on the table.

By the committee on Asylum for the Deaf, Dumb and Blind:

The committee on the Asylum for the Deaf, Dumb and Blind, to whom was referred

A bill making appropriations for the support of said Asylum, and for completing certain portions of the building,

Have had the same under consideration, have made certain amendments thereto, and recommend that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

EDWIN STEWART, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. T. G. Smith,

The bill was referred to the committee on ways and means.

